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R 336.2607
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R 336.2608
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PART 17. HEARINGS

R 336.2701
Source: 1998-2000 AACS.

R 336.2702
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R 335.2703
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R 336.2703
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R 336.2704
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R 336.2705
Source: 1980 AACS.

R 336.2706
Source: 1980 AACS.

PART 18. PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY

R 336.2801 Definitions.

Rule 1801. The following definitions apply to terms used in this part. If a term defined in this part is also defined elsewhere in the rules, then the definition contained here applies for this part only.

(a) "Actual emissions" means the actual rate of emissions of a regulated new source review pollutant from an emissions unit, as determined under R 336.1101(b), except that this definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a plantwide applicability limit under R 336.2823. Instead, the terms "projected actual emissions" and "baseline actual emissions" shall apply for those purposes.

(b) "Baseline actual emissions" means the rate of emissions, in tons per year, of a regulated new source review pollutant, as determined by the following:

(i) For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding when the owner or operator begins actual construction of the project. The department shall allow the use of a different time period upon a determination that it is more representative of normal source operation. All of the following provisions apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) For a regulated new source review pollutant, if a project involves multiple emissions units, then only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(D) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraph (i)(B) of this subdivision.

(ii) For an existing emissions unit, other than an electric utility steam generating unit, baseline actual emissions means the

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average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 10-year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is received by the department for a permit required by R 336.1201, whichever is earlier, except that the 10-year period shall not include any period earlier than November 15, 1990. All of the following provisions apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) The average rate shall be adjusted downward to exclude emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major stationary source been required to comply with such limitations during the consecutive 24-month period. However, if an emission limitation is part of a maximum achievable control technology standard that the United States environmental protection agency proposed or promulgated under 40 C.F.R. part 63, then the baseline actual emissions need only be adjusted if the state has taken credit for such emissions reductions in an attainment demonstration or maintenance plan submitted to the U.S. environmental protection agency. The provisions of 40 C.F.R. part 63 are adopted by reference in R 336.2801a.

(D) For a regulated new source review pollutant, if a project involves multiple emissions units, then only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(E) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by subparagraphs (B) and (C) of this paragraph.

(iii) For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.

(iv) For a plantwide applicability limit for a stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units under paragraph (i) of this subdivision, for other existing emissions units under paragraph (ii) of this subdivision, and for a new emissions unit under paragraph (iii) of this subdivision.

(c) "Baseline area" means all of the following:

(i) Any intrastate area, and every part thereof, designated as attainment or unclassifiable under section 107(d)(1) (D) or (E) of the clean air act in which the major source or major modification establishing the minor source baseline date would construct or would have an air quality impact equal to or greater than 1 microgram per cubic meter (annual average) of the pollutant for which the minor source baseline date is established.

(ii) Area redesignations under section 107(d)(1) (D) or (E) of the clean air act shall not intersect or be smaller than the area of impact of any major stationary source or major modification which does either of the following:

(A) Establishes a minor source baseline date.

(B) Is subject to PSD regulations or new source review for major sources in nonattainment areas regulations.

(iii) Any baseline area established originally for the total suspended particulates increments shall remain in effect and shall apply for purposes of determining the amount of available PM-10 increments, except that the baseline area shall not remain in effect if the department rescinds the corresponding minor source baseline date under subdivision (bb)(iv) of this rule.

(d) "Baseline concentration" means the value derived using the following procedures:

(i) The ambient concentration level that exists in the baseline area at the time of the applicable minor source baseline date. A baseline concentration is determined for each pollutant for which a minor source baseline date is established and shall include both of the following:

(A) The actual emissions representative of sources in existence on the applicable minor source baseline date.

(B) The allowable emissions of major stationary sources that commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.

(ii) The following shall not be included in the baseline concentration and shall affect the applicable maximum allowable increase:

(A) Actual emissions from any major stationary source on which construction commenced after the major source baseline date.

(B) Actual emissions increases and decreases at any stationary source occurring after the minor source baseline date.

(e) "Begin actual construction" means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. "A change in method of operation" refers to those on-site activities, other than preparatory activities, which mark the initiation of the change.

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(f) “Best available control technology” or “BACT” means an emissions limitation, including a visible emissions standard, based on the maximum degree of reduction for each regulated new source review pollutant, which would be emitted from any proposed major stationary source or major modification which the department -- on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs -- determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combination techniques for control of the pollutant. Application of best available control technology shall not result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 C.F.R. parts 60 and 61, adopted by reference in R 336.2801a. If the department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, then a design, equipment, work practice, operational standard or combination thereof, may be prescribed instead to satisfy the requirement for the application of best available control technology. The standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of the design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.

(g) “Building, structure, facility, or installation” means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on 1 or more contiguous or adjacent properties, and are under the control of the same person, or persons under common control, except the activities of any vessel. Pollutant-emitting activities are part of the same industrial grouping if they have the same 2-digit major group code associated with their primary activity. Major group codes and primary activities are described in the standard industrial classification manual, 1987. For assistance in converting north American industrial classification system codes to standard industrial classification codes see <http://www.census.gov/epcd/naics02/>.

(h) “Clean coal technology” means any technology, including technologies applied at the precombustion, combustion, or post-combustion stage, at a new or existing facility which will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam which was not in widespread use as of November 15, 1990.

(i) “Clean coal technology demonstration project” means a project using funds appropriated under the heading “Department of Energy -- Clean Coal Technology,” up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the United States Environmental Protection Agency. The federal contribution for a qualifying project shall be at least 20% of the total cost of the demonstration project.

(j) [Reserved]

(k) “Commence,” as applied to construction of a major stationary source or major modification, means that the owner or operator has all necessary preconstruction approvals or permits and has done either of the following:

(i) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time.

(ii) Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(l) “Complete” means, in reference to an application for a permit, that the application contains all the information necessary for processing the application. Designating an application complete for purposes of permit processing does not preclude the department from requesting or accepting additional information.

(m) “Construction” means any physical change or change in the method of operation, including fabrication, erection, installation, demolition, or modification of an emissions unit, that would result in a change in emissions.

(n) “Continuous emissions monitoring system” or “CEMS” means all of the equipment that may be required to meet the data acquisition and availability requirements of these rules, to sample, condition if applicable, analyze, and provide a record of emissions on a continuous basis.

(o) “Continuous emissions rate monitoring system” or “CERMS” means the total equipment required for the determination and recording of the pollutant mass emissions rate in terms of mass per unit of time.

(p) “Continuous parameter monitoring system” or “CPMS” means all of the equipment necessary to meet the data acquisition and availability requirements of these rules, to monitor process and control device operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, oxygen or carbon dioxide concentrations), and to record average operational parameter value or values on a continuous basis.

(q) “Electric utility steam generating unit” means any steam electric generating unit that is constructed for supplying more than 1/3 of its potential electric output capacity and more than 25 megawatt electrical output to any utility power distribution system for sale. Steam supplied to a steam distribution system for providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

(r) “Emissions unit” means any part of a stationary source that emits or would have the potential to emit any regulated new

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source review pollutant and includes an electric utility steam generating unit. Both of the following are types of emissions units:

(i) A new emissions unit is any emissions unit that is, or will be, newly constructed and that has existed for less than 2 years from the date the emissions unit first operated.

(ii) An existing emissions unit is any emissions unit that does not meet the definition of a new emissions unit. A replacement unit is an existing emissions unit and no creditable emission reductions shall be generated from shutting down the existing emissions unit that is replaced. A replacement unit shall meet all of the following criteria:

(A) The emissions unit is a reconstructed unit if the replacement of components of an existing facility is to such an extent that the fixed capital cost of the new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new facility or the emissions unit completely takes the place of an existing emissions unit.

(B) The emissions unit is identical to or functionally equivalent to the replaced emissions unit.

(C) The replacement does not alter the basic design parameters of the process unit.

(D) The replaced emissions unit is permanently removed from the major stationary source, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

(s) "Federal land manager" means, with respect to any lands in the United States, the secretary of the department with authority over such lands.

(t) "High terrain" means an area having an elevation 900 feet or more above the base of the stack of a source.

(u) "Hydrocarbon combustion flare" means either a flare used to comply with an applicable new source performance standard or maximum achievable control technology standard, including uses of flares during startup, shutdown, or malfunction permitted under such a standard, or a flare that serves to control emissions of waste streams comprised predominately of hydrocarbons and containing not more than 230 milligrams per dry standard cubic meter hydrogen sulfide.

(v) "Indian reservation" means any federally recognized reservation established by treaty, agreement, executive order, or act of congress.

(w) "Indian governing body" means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing power of self-government.

(x) "Innovative control technology" means any system of air pollution control that has not been adequately demonstrated in practice, but may have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or non-air quality environmental impacts.

(y) "Low terrain" means any area other than high terrain.

(z) "Lowest achievable emission rate" or "LAER", for any source, means the more stringent rate of emissions based on R 336.1112(f).

(aa) "Major modification" means any of the following:

(i) Physical change in or change in the method of operation of a major stationary source that would result in both of the following:

(A) A significant emissions increase of a regulated new source review pollutant.

(B) A significant net emissions increase of that pollutant from the major stationary source.

(ii) A significant emissions increase from any emissions units or net emissions increase at a major stationary source that is significant for volatile organic compounds shall be considered significant for ozone.

(iii) Physical change or change in the method of operation shall not include any of the following:

(A) Routine maintenance, repair, and replacement.

(B) Use of an alternative fuel or raw material by reason of any order under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 or by reason of a natural gas curtailment plan under the Federal Power Act.

(C) Use of an alternative fuel by reason of an order or rule under section 125 of the clean air act.

(D) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.

(E) Use of an alternative fuel or raw material by a stationary source which meets either of the following:

(1) The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, under PSD regulations or R 336.1201(1)(a).

(2) The source is approved to use under any permit issued under PSD regulations or under R 336.1201(1)(a).

(F) An increase in the hours of operation or in the production rate, unless the change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, under PSD regulations or R 336.1201(1)(a).

(G) Any change in ownership at a stationary source.

(H) [Reserved]

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(I) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with both of the following:

- (1) The state implementation plan.
- (2) Other requirements necessary to attain and maintain the national ambient air quality standards during the project and after the project is terminated.

(J) The installation or operation of a permanent clean coal technology demonstration project that constitutes repowering, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant basis.

(K) The reactivation of a very clean coal-fired electric utility steam generating unit.

(iv) This definition shall not apply with respect to a particular regulated new source review pollutant when the major stationary source is complying with the requirements for an actuals PAL for that pollutant. Instead, the definition of PAL major modification in R 336.2823 shall apply.

(bb) All of the following apply to major and minor source baseline dates:

(i) "Major source baseline date" means both of the following:

- (A) January 6, 1975, for particulate matter and sulfur dioxide.
- (B) February 8, 1988, for nitrogen dioxide.

(ii) "Minor source baseline date" means the earliest date after the trigger date on which a major stationary source or a major modification subject to PSD regulations submits a complete application under the relevant regulations. The trigger date is both of the following:

- (A) August 7, 1977, for particulate matter and sulfur dioxide.
- (B) February 8, 1988, for nitrogen dioxide.

(iii) The baseline date is established for each pollutant for which increments or other equivalent measures have been established if both of the following occur:

(A) The area in which the proposed source or modification would construct is designated as attainment or unclassifiable under section 107(d)(i) (D) or (E) of the clean air act for the pollutant on the date of its complete application under R 336.1201 and PSD regulations.

(B) If a major stationary source, the pollutant would be emitted in significant amounts, or, if a major modification, there would be a significant net emissions increase of the pollutant.

(iv) Any minor source baseline date established originally for the total suspended particulates increments shall remain in effect and shall apply for determining the amount of available PM-10 increments, except that the department may rescind any minor source baseline date where it can be shown, to the satisfaction of the department, that the emissions increase from the major stationary source, or the net emissions increase from the major modification, responsible for triggering that date did not result in a significant amount of PM-10 emissions.

(cc) "Major stationary source" means any of the following:

(i) Any of the following stationary sources of air pollutants which emits, or has the potential to emit, 100 tons per year or more of a regulated new source review pollutant:

- (A) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input.
- (B) Coal cleaning plants with thermal dryers.
- (C) Kraft pulp mills.
- (D) Portland cement plants.
- (E) Primary zinc smelters.
- (F) Iron and steel mill plants.
- (G) Primary aluminum ore reduction plants.
- (H) Primary copper smelters.
- (I) Municipal incinerators capable of charging more than 250 tons of refuse per day.
- (J) Hydrofluoric, sulfuric, and nitric acid plants.
- (K) Petroleum refineries.
- (L) Lime plants.
- (M) Phosphate rock processing plants.
- (N) Coke oven batteries.
- (O) Sulfur recovery plants.
- (P) Carbon black plants (furnace process).
- (Q) Primary lead smelters.
- (R) Fuel conversion plants.
- (S) Sintering plants.
- (T) Secondary metal production plants.

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- (U) Chemical process plants.
- (V) Fossil fuel boilers, or combinations thereof, totaling more than 250 million British thermal units per hour heat input.
- (W) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels.
- (X) Taconite ore processing plants.
- (Y) Glass fiber processing plants.
- (Z) Charcoal production plants.
- (ii) Any stationary source not listed in the previous subdivision which emits, or has the potential to emit, 250 tons per year or more of a regulated new source review pollutant.
- (iii) Any physical change that would occur at a stationary source not otherwise qualifying under subdivision (cc) of this subrule, as a major stationary source if the change would constitute a major stationary source by itself.
- (iv) A major source that is major for volatile organic compounds shall be considered major for ozone.
- (v) The fugitive emissions of a stationary source shall not be included in determining, for any of the purposes of this rule, whether it is a major stationary source, unless the source belongs to 1 of the categories of stationary sources listed in paragraph (i) of this subdivision.
- (dd) "Necessary preconstruction approvals or permits" means a permit issued under R 336.1201(1)(a) that is required by R 336.2801 to R 336.2819, R 336.2823, and R 336.2830 or R 336.1220.
- (ee) "Net emissions increase" means all of the following:
 - (i) For any regulated new source review pollutant emitted by a major stationary source, the amount by which the sum of the following exceeds zero:
 - (A) The increase in emissions from a particular physical change or change in the method of operation at a stationary source as calculated under R 336.2802(4).
 - (B) Any other increases and decreases in actual emissions at the major stationary source that are contemporaneous with the particular change and are otherwise creditable. Baseline actual emissions for calculating increases and decreases under this paragraph shall be determined as provided in the definition of baseline actual emissions, except that paragraphs (b)(i)(C) and (b)(ii)(D) of this rule shall not apply.
 - (ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the following:
 - (A) The date 5 years before construction on the particular change commences.
 - (B) The date that the increase from the particular change occurs.
 - (iii) An increase or decrease in actual emissions is creditable only if the department has not relied on it in issuing a permit under R 336.1201(1)(a) or R 336.1214a, which permit is in effect when the increase in actual emissions from the particular change occurs.
 - (iv) An increase or decrease in actual emissions of sulfur dioxide, particulate matter, or oxides of nitrogen that occurs before the applicable minor source baseline date is creditable only if it is required in calculating the amount of maximum allowable increases remaining available.
 - (v) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.
 - (vi) A decrease in actual emissions is creditable only to the extent that it meets all of the following criteria:
 - (A) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions.
 - (B) It is enforceable as a practical matter at and after the time that actual construction on the particular change begins.
 - (C) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.
 - (vii) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. A replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.
 - (viii) The definition of actual emissions in R 336.1101(b) shall not apply for determining creditable increases and decreases after a change, instead the definitions of the terms "projected actual emissions" and "baseline emissions" shall be used.
- (ff) [Reserved]
- (gg) "Pollution prevention" means any activity that through process changes, product reformulation or redesign, or substitution of less polluting raw materials, eliminates or reduces the release of air pollutants, including fugitive emissions, and other pollutants to the environment before recycling, treatment, or disposal. Pollution prevention does not mean recycling, other than certain "in-process recycling" practices, energy recovery, treatment, or disposal.
- (hh) "Potential to emit" means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. A physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or

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processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is legally enforceable and enforceable as a practical matter by the state, local air pollution control agency, or United States environmental protection agency. Secondary emissions do not count in determining the potential to emit of a stationary source.

(ii) "Predictive emissions monitoring system" or "PEMS" means all of the equipment necessary to monitor process and control device operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, oxygen or carbon dioxide concentrations), and calculate and record the mass emissions rate (for example, pounds per hour) on a continuous basis.

(jj) "Prevention of significant deterioration" or "PSD" program means the major source preconstruction permit program required by 40 C.F.R. §52.21, adopted by reference in R 336.2801a, or R 336.2801 to R 336.2819, R 336.2823 and R 336.2830. A permit issued under this program is a major NSR permit.

(kk) "Project" means a physical change in, or change in method of operation of, an existing major stationary source.

(ll) "Projected actual emissions" means all of the following:

(i) The maximum annual rate, in tons per year, at which an existing emissions unit is projected to emit a regulated new source review pollutant in any 1 of the 5 years (12-month period) following the date the unit resumes regular operation after the project, or in any 1 of the 10 years following that date, if the project involves increasing the emissions unit's design capacity or its potential to emit that regulated new source review pollutant, and full utilization of the unit would result in a significant emissions increase, or a significant net emissions increase at the major stationary source.

(ii) In determining the projected actual emissions, before beginning actual construction, the owner or operator of the major stationary source shall do all of the following:

(A) Consider all relevant information, including but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the state or federal regulatory authorities, and compliance plans under the state implementation plan.

(B) Include fugitive emissions to the extent quantifiable and emissions associated with startups, shutdowns, and malfunctions.

(C) Exclude, in calculating any increase in emissions that results from the particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive 24-month period used to establish the baseline actual emissions and that are also unrelated to the particular project, including any increased utilization due to product demand growth.

(iii) The owner or operator of a major stationary source may use the emissions unit's potential to emit, in tons per year, instead of calculating projected actual emissions.

(mm) "Reactivation of a very clean coal-fired electric utility steam generating unit" means any physical change or change in the method of operation associated with the commencement of commercial operations by a coal-fired utility unit after a period of discontinued operation where the unit meets all of the following criteria:

(i) The unit was not in operation for the 2-year period before the enactment of the clean air act amendments of 1990, and the emissions from the unit continue to be carried in the department's emissions inventory at the time of enactment.

(ii) The unit was equipped before shutdown with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of not less than 85% and a removal efficiency for particulates of not less than 98%.

(iii) The unit was equipped with low-oxides of nitrogen burners before the time of commencement of operations following reactivation.

(iv) The unit otherwise complies with the requirements of the clean air act.

(nn) "Regulated new source review pollutant," for purposes of this rule, means all of the following:

(i) A pollutant for which a national ambient air quality standard has been promulgated and any constituents or precursors for the pollutants identified by the United States environmental protection agency. For example, volatile organic compounds are precursors for ozone.

(ii) A pollutant that is subject to any standard promulgated under section 111 of the clean air act.

(iii) A class I or II substance subject to a standard promulgated under or established by title VI of the clean air act.

(iv) A pollutant that otherwise is subject to regulation under the clean air act; except that any or all hazardous air pollutants either listed in section 112 of the clean air act or added to the list under section 112(b)(2) of the clean air act, which have not been delisted under section 112(b)(3) of the clean air act, are not regulated new source review pollutants unless the listed hazardous air pollutant is also regulated as a constituent or precursor of a general pollutant listed under section 108 of the clean air act.

(oo) "Repowering" means all of the following:

(i) Replacement of an existing coal-fired boiler with 1 of the following clean coal technologies:

(A) Atmospheric or pressurized fluidized bed combustion.

(B) Integrated gasification combined cycle.

(C) Magneto hydrodynamics.

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(D) Direct and indirect coal-fired turbines.

(E) Integrated gasification fuel cells.

(F) A derivative of 1 or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990, as determined by the United States environmental protection agency, in consultation with the Secretary of Energy.

(ii) Repowering shall also include any oil and/or gas-fired unit which has been awarded clean coal technology demonstration funding as of January 1, 1991, by the United States Department of Energy.

(iii) The department shall give expedited consideration to permit applications for any source that satisfies the definition of repowering and is granted an extension under section 409 of the clean air act.

(pp) "Secondary emissions" means emissions which occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For this rule, secondary emissions shall be specific, well defined, quantifiable, and impact the same general areas the stationary source modification which causes the secondary emissions. Secondary emissions include emissions from any offsite support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

(qq) "Significant" means:

(i) In reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following pollutant emission rates:

(A) Carbon monoxide: 100 tons per year.

(B) Oxides of nitrogen: 40 tons per year.

(C) Sulfur dioxide: 40 tons per year.

(D) Particulate matter: 25 tons per year of particulate matter emissions; 15 tons per year of PM-10 emissions.

(E) Ozone: 40 tons per year of volatile organic compounds.

(F) Lead: 0.6 tons per year.

(G) Fluorides: 3 tons per year.

(H) Sulfuric acid mist: 7 tons per year.

(I) Hydrogen sulfide: 10 tons per year.

(J) Total reduced sulfur, including hydrogen sulfide: 10 tons per year.

(K) Reduced sulfur compounds, including hydrogen sulfide: 10 tons per year.

(L) Municipal waste combustor organics, measured as total tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans: 3.2×10^{-6} megagrams per year or 3.5×10^{-6} tons per year.

(M) Municipal waste combustor metals, measured as particulate matter: 14 megagrams per year or 15 tons per year.

(N) Municipal waste combustor acid gases, measured as sulfur dioxide and hydrogen chloride: 36 megagrams per year or 40 tons per year.

(O) Municipal solid waste landfill emissions, measured as nonmethane organic compounds: 45 megagrams per year or 50 tons per year.

(ii) In reference to a net emissions increase or the potential of a source to emit a regulated new source review pollutant not listed in this definition, any emissions rate.

(iii) Any emissions rate or any net emissions increase associated with a major stationary source or major modification, which would construct within 10 kilometers of a class I area, and have an impact on such area equal to or greater than 1 microgram per cubic meter (24-hour average).

(rr) "Significant emissions increase" means, for a regulated new source review pollutant, an increase in emissions that is significant for that pollutant.

(ss) "Stationary source" means any building, structure, facility, or installation which emits or may emit a regulated new source review pollutant.

(tt) "Temporary clean coal technology demonstration project" means a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the state implementation plan and other requirements necessary to attain and maintain the national ambient air quality standards during and after the project is terminated.

History: 2006 AACs; 2008 MR 17, Eff. Sept. 11, 2008.

R 336.2801a

Source: 2006 AACs.

R 336.2802

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Source: 2006 AACS.

R 336.2803

Source: 2006 AACS.

R 336.2804

Source: 2006 AACS.

R 336.2805

Source: 2006 AACS.

R 336.2806

Source: 2006 AACS.

R 336.2807

Source: 2006 AACS.

R 336.2808

Source: 2006 AACS.

R 336.2809

Source: 2006 AACS.

R 336.2810

Source: 2006 AACS.

R 336.2811

Source: 2006 AACS.

R 336.2812

Source: 2006 AACS.

R 336.2813

Source: 2006 AACS.

R 336.2814

Source: 2006 AACS.

R 336.2815

Source: 2006 AACS.

R 336.2816 Sources impacting federal class I areas; additional requirements.

Rule 1816. (1) The department shall transmit to the United States environmental protection agency a copy of each permit application relating to a major stationary source or major modification and provide notice to the United States environmental protection agency of every action related to the consideration of the permit.

(2) If the proposed major stationary source or major modification affects a federal class 1 area, the department shall not approve the permit application if the department concurs with a demonstration provided by the federal land manager that the emissions from the proposed major source or major modification would have an adverse impact on the air quality related values of class I lands, including visibility, notwithstanding that the change in air quality resulting from emissions from a major source or major modification would not cause or contribute to concentrations that would exceed the maximum allowable increases for a class I area.

(3) If the department determines that the emissions from a proposed major source or major modification would cause or contribute to concentrations which would exceed the maximum allowable increases for a class I area, the department shall not approve a permit application unless 1 of the following occurs:

(a) The applicant submits a written certification that the applicant has demonstrated to the federal land manager that the emissions from the proposed major source or major modification would have no adverse impact on the air quality related values of class I lands, including visibility, notwithstanding that the change in air quality resulting from emissions from a major source or major modification would cause or contribute to concentrations that would exceed the maximum allowable

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increases for a class I area. The department may then, provided that applicable requirements are otherwise met, issue the permit with emission limitations to assure that emissions of sulfur dioxide, particulate matter, and oxides of nitrogen would not exceed the following maximum allowable increases over minor source baseline concentration for the pollutants:

Table 183

Maximum allowable increases over minor source baseline concentrations

Pollutant	Maximum allowable increase (micrograms per cubic meter)
Particulate matter:	
PM-10, annual arithmetic mean	17
PM-10, 24-hour maximum	30
Sulfur dioxide:	
Annual arithmetic mean	20
24-hour maximum	91
3-hour maximum	325
Nitrogen dioxide:	
Annual arithmetic mean	25

(b) If the department cannot approve the permit application under R 336.2816(3)(a) due to sulfur dioxide emissions resulting in increases greater than those specified in Table 183 for periods of 24 hours or less, the applicant may obtain approval by providing a written certification that the applicant has demonstrated to the federal land manager that the emissions from the proposed major source or major modification would have no adverse impact on the air quality related values of class I lands, including visibility, and that both the governor and the federal land manager have granted a sulfur dioxide variance for the federal class I area on which variance the public has received notice and opportunity for public hearing.

(c) If the department cannot approve the permit application under R 336.2816(3)(a) due to sulfur dioxide emissions resulting in increases greater than those specified in Table 183 for periods of 24 hours or less, and the department cannot approve the permit application under R 336.2816(3)(b) because the federal land manager does not concur with the governor's issuance of a sulfur dioxide variance that is otherwise consistent with R 336.2816(3)(b), the applicant may obtain approval by providing a written certification that the applicant has demonstrated to the president that a sulfur dioxide variance is in the national interest and the president concurs with the issuance of the sulfur dioxide variance by the governor.

(4) The department will not issue a permit affecting a class I area in which a sulfur dioxide variance was granted under R 336.2816(3)(b) or (c), unless the permit includes emission limitations necessary to assure that emissions of sulfur dioxide from the major source or major modification would not, during any day on which the otherwise applicable maximum allowable increases are exceeded, cause or contribute to concentrations which would exceed the following maximum allowable increases over the baseline concentration and to assure that emissions would not cause or contribute to concentrations which exceed the otherwise applicable maximum allowable increases for periods of exposure of 24 hours or less for more than 18 days, not necessarily consecutive, during any annual period.

Table 184

Maximum allowable sulfur dioxide increments

Period of exposure	Maximum Allowable Increase (micrograms per cubic meter)	
	Terrain areas	
	Low	High
24-hour maximum	36	62
3-hour maximum	130	221

History: 2006 AACCS; 2008 MR 17, Eff. Sept. 11, 2008.

R 336.2817

Source: 2006 AACCS.

R 336.2818 Source obligation.

Rule 1818. (1) Approval to construct shall not relieve an owner or operator of the responsibility to comply fully with applicable provisions of the state implementation plan and any other requirements under local, state, or federal law.

(2) If a particular major source or major modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the major source or major modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of R 336.2810 to R 336.2819 shall apply to the major source or major modification as though construction had not yet commenced on the major source or major modification.

(3) All of the following provisions apply to any regulated new source review pollutant emitted from projects at existing emissions units at a major stationary source, other than projects at a major source with a plantwide applicability limit, where there is a reasonable possibility, as defined in R 336.2818(3)(f), that a project that is not a part of a major modification may result in a significant emissions increase of such pollutant, and the owner or operator elects to use the method specified in R 336.2801(l)(ii)(A) to (C) for calculating projected actual emissions:

(a) Before beginning actual construction of the project, the owner or operator shall document and maintain a record of all of the following information:

(i) A description of the project.

(ii) Identification of the emissions unit or units whose emissions of a regulated new major source review pollutant may be affected by the project.

(iii) A description of the applicability test used to determine that the project is not a major modification for any regulated new source review pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under R 336.2801(l)(ii)(C) and an explanation for why such amount was excluded, and any netting calculations, if applicable.

(b) If the emissions unit is an existing electric utility steam generating unit, then before beginning actual construction, the owner or operator shall provide a copy of the information required by subdivision (a) of this subrule to the department. This subdivision does not require the owner or operator of the unit to obtain any determination from the department before beginning actual construction.

(c) The owner or operator shall monitor the emissions of a regulated new source review pollutant that could increase as a result of the project and that is emitted by any emissions unit identified in subdivision (a)(ii) of this subrule; and calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of 5 years following resumption of regular operations after the change, or for a period of 10 years following resumption of regular operations after the change if the project increases the design capacity or potential to emit of that regulated new major source review pollutant at the emissions unit.

(d) If the unit is an existing electric utility steam generating unit, then the owner or operator shall submit a report to the department within 60 days after the end of each year during which records are generated under subdivision (c) of this subrule setting out the unit's annual emissions during the calendar year before submission of the report.

(e) If the unit is an existing unit other than an electric utility steam generating unit, then the owner or operator shall submit a report to the department if the annual emissions, in tons per year, from the project exceed the baseline actual emissions by a significant amount for that regulated new source review pollutant, and if such emissions differ from the preconstruction projection. The owner or operator shall submit the report to the department within 60 days after the end of such year. The report shall contain all of the following:

(i) The name, address, and telephone number of the major stationary source.

(ii) The annual emissions as calculated under subdivision (c) of this subrule.

(iii) Any other information that the owner or operator wishes to include in the report; for example, an explanation as to why the emissions differ from the preconstruction projection.

(f) A reasonable possibility occurs when the owner or operator calculates the project to result in either of the following:

(i) A projected actual emissions increase of at least 50% of the amount that is a significant emissions increase, as defined in R 336.2801(rr), without reference to the amount that is a significant net emissions increase for the regulated new source review pollutant.

(ii) A projected actual emissions increase that, added to the amount of emissions excluded under R 336.2801(l)(ii)(C), sums to at least 50% of the amount that is a significant emissions increase, as defined in R 336.2801(rr), without reference to the amount that is a significant net emissions increase for the regulated new source review pollutant. For a project for which a reasonable possibility occurs only within the meaning of R 336.2818(3)(f)(ii), and not also within the meaning of R 336.2818(3)(f)(i), then the provisions of R 336.2818(3)(b) to (e) do not apply to the project.

(4) The owner or operator of the major source shall make the information required to be documented and maintained under this rule available for review upon request for inspection by the department or the general public under MCL 324.5516(2).

History: 2006 AACs; 2008 MR 17, Eff. Sept. 11, 2008.

R 336.2819

Source: 2006 AACs.

R 336.2823

Source: 2006 AACs.

R 336.2830

Source: 2006 AACs.

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

PART 19. NEW SOURCE REVIEW FOR MAJOR SOURCES IMPACTING NONATTAINMENT AREAS

R 336.2901 Definitions.

Rule 1901. The following definitions apply to terms used in this part. If a term defined here is also defined elsewhere in these rules, then the definition contained here supersedes for this part only:

(a) “Actual emissions” means the actual rate of emissions of a regulated new source review pollutant from an emissions unit, as determined under R 336.1101(b), except that this definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a plantwide applicability limit under R 336.2907. Instead, the terms “projected actual emissions” and “baseline actual emissions” shall apply for those purposes.

(b) “Baseline actual emissions” means the rate of emissions, in tons per year, of a regulated new source review pollutant, as determined by the following:

(i) For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding when the owner or operator begins actual construction of the project. The department shall allow the use of a different time period upon a determination that it is more representative of normal source operation. The following shall apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above any emission limitation that was legally enforceable during the consecutive 24-month period.

(C) For a regulated new source review pollutant, when a project involves multiple emissions units, only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(D) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraph (i)(B) of this subdivision.

(ii) For an existing emissions unit, other than an electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 10-year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is received by the department for a permit required under R 336.1201, whichever is earlier, except that the 10-year period shall not include any period earlier than November 15, 1990. All of the following shall apply:

(A) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(B) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(C) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had the major stationary source been required to comply with the limitations during the consecutive 24-month period. However, if an emission limitation is part of a maximum achievable control technology standard that the United States environmental protection agency proposed or promulgated under 40 C.F.R. part 63, then the baseline actual emissions need only be adjusted if the department has taken credit for such emissions reductions in an attainment demonstration or maintenance plan. Title 40 C.F.R. part 63 is adopted by reference in R 336.2901a.

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(D) For a regulated new source review pollutant, when a project involves multiple emissions units, only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period may be used for each regulated new source review pollutant.

(E) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by subparagraphs (B) and (C) of this paragraph.

(iii) For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.

(iv) For a plantwide applicability limit for a major stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units under paragraph (i) of this subdivision, for other existing emissions units under paragraph (ii) of this subdivision, and for a new emissions unit under paragraph (iii) of this subdivision.

(c) "Begin actual construction" means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. "A change in method of operation" refers to those on-site activities other than preparatory activities which mark the initiation of the change.

(d) "Best available control technology" or "BACT" means an emissions limitation, including a visible emissions standard, based on the maximum degree of reduction for each regulated new source review pollutant which would be emitted from any proposed major stationary source or major modification which the department, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. Application of best available control technology shall not result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 C.F.R. part 60 or 61, adopted by reference in R 336.2901a. If the department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, then a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of BACT. The standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of the design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.

(e) "Building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on 1 or more contiguous or adjacent properties, and are under the control of the same person, or persons under common control, except the activities of any vessel. Pollutant-emitting activities are part of the same industrial grouping if they have the same 2-digit major group code associated with their primary activity. Major group codes and primary activities are described in the standard industrial classification manual, 1987. For assistance in converting north American industrial classification system codes to standard industrial classification codes see <http://www.census.gov/epcd/naics02/>.

(f) "Clean coal technology" means any technology, including technologies applied at the precombustion, combustion, or post-combustion stage, at a new or existing facility which will achieve significant reductions in air emissions of sulfur dioxide or oxides of nitrogen associated with the utilization of coal in the generation of electricity, or process steam which was not in widespread use as of November 15, 1990.

(g) "Clean coal technology demonstration project" means a project using funds appropriated under the heading "department of energy-clean coal technology," up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the United States environmental protection agency. The federal contribution for a qualifying project shall be at least 20% of the total cost of the demonstration project.

(h) [Reserved]

(i) "Commence" as applied to construction of a major stationary source or major modification means that the owner or operator has all necessary preconstruction approvals or permits and has either of the following:

(i) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time.

(ii) Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(j) "Construction" means any physical change or change in the method of operation, including fabrication, erection, installation, demolition, or modification of an emissions unit, that would result in a change in emissions.

(k) "Continuous emissions monitoring system" or "CEMS" means all of the equipment that may be required to meet the data acquisition and availability requirements of this rule, to sample, condition, if applicable, analyze, and provide a record of

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emissions on a continuous basis.

(l) "Continuous emissions rate monitoring system" or "CERMS" means the total equipment required for the determination and recording of the pollutant mass emissions rate, in terms of mass per unit of time.

(m) "Continuous parameter monitoring system" or "CPMS" means all of the equipment necessary to meet the data acquisition and availability requirements of this rule, to monitor process and control device operational parameters and other information, and to record average operational parameter values on a continuous basis.

(n) "Electric utility steam generating unit" means any steam electric generating unit that is constructed for the purpose of supplying more than 1/3 of its potential electric output capacity and more than 25 megawatts electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

(o) "Emissions unit" means any part of a stationary source that emits or would have the potential to emit any regulated new source review pollutant. The term emissions unit includes an electric steam generating unit. Each emissions unit can be classified as either new or existing based on the following:

(i) A new emissions unit is any emissions unit that is, or will be, newly constructed and that has existed for less than 2 years from the date the emissions unit first operated.

(ii) An existing emissions unit is any emissions unit that does not meet the definition of a new emissions unit. A replacement unit is an existing emissions unit and no creditable emission reductions shall be generated from shutting down the existing emissions unit that is replaced. Replacement unit means all of the following:

(A) The emissions unit is a reconstructed unit as defined within R 336.1118(b) or the emissions unit completely takes the place of an existing emissions unit.

(B) The emissions unit is identical to or functionally equivalent to the replaced emissions unit.

(C) The replacement does not alter the basic design parameters of the process unit.

(D) The replaced emissions unit is permanently removed from the major stationary source, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

(p) "Federal land manager" means, with respect to any lands in the United States, the secretary of the department with authority over such lands.

(q) "Hydrocarbon combustion flare" means either a flare used to comply with an applicable new source performance standard or maximum achievable control technology standard, including uses of flares during startup, shutdown, or malfunction permitted under such a standard, or a flare that serves to control emissions of waste streams comprised predominately of hydrocarbons and containing not more than 230 milligrams per dry standard cubic meter hydrogen sulfide.

(r) "Lowest achievable emission rate" or "LAER" means, for any source, the more stringent rate of emissions based on either of the following:

(i) The most stringent emissions limitation that is contained in the implementation plan of any state for the same class or category of stationary source, unless the owner or operator of the proposed stationary source demonstrates that the limitations are not achievable.

(ii) The most stringent emissions limitation that is achieved in practice by the same class or category of stationary sources. This limitation, when applied to a modification, means the lowest achievable emissions rate for the new or modified emissions units within a stationary source. Application of the term shall not permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under an applicable new source performance standard.

(s) "Major modification" means the following:

(i) Any physical change in or change in the method of operation of a major stationary source that would result in both of the following:

(A) A significant emissions increase of a regulated new source review pollutant.

(B) A significant net emissions increase of that pollutant from the major stationary source.

(ii) Any significant emissions increase from any emissions units or net emissions increase at a major stationary source that is significant for volatile organic compounds shall be considered significant for ozone.

(iii) A physical change or change in the method of operation shall not include any of the following:

(A) Routine maintenance, repair, and replacement.

(B) Use of an alternative fuel or raw material by reason of an order under sections 2 (a) and (b) of the energy supply and environmental coordination act of 1974, 15 U.S.C. §792 et seq., or any superseding legislation, or by reason of a natural gas curtailment plan under the federal power act of 1995, 16 U.S.C. §791-828c et seq.

(C) Use of an alternative fuel by reason of an order or rule under section 125 of the clean air act.

(D) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.

(E) Use of an alternative fuel or raw material by a stationary source which meets either of the following:

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(1) The source was capable of accommodating before December 21, 1976, unless the change would be prohibited under any federally enforceable permit condition that was established after December 12, 1976, under prevention of significant deterioration of air quality regulations or new source review for major sources in nonattainment areas regulations.

(2) The source is approved to use under any permit issued under R 336.1201(1)(a).

(F) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition that was established after December 21, 1976, under R 336.1201(1)(a).

(G) Any change in ownership at a stationary source.

(H) [Reserved]

(I) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with both of the following:

(1) The state implementation plan.

(2) Other requirements necessary to attain and maintain the national ambient air quality standard during the project and after it is terminated.

(iv) This definition shall not apply with respect to a particular regulated new source review pollutant when the major stationary source is complying with the requirements of R 336.2907 for a plantwide applicability limit for that pollutant. Instead, the definition in R 336.2907(1)(h) shall apply.

(v) For the purposes of applying the requirements of R 336.2902(8) to modifications at major stationary sources of nitrogen oxides located in ozone nonattainment areas or in ozone transport regions, whether or not subject to subpart 2, part D, title 1 of the clean air act, any significant net emissions increase of nitrogen oxides is considered significant for ozone.

(vi) Any physical change in, or change in the method of operation of, a major stationary source of volatile organic compounds that results in any increase in emissions of volatile organic compounds from any discrete operation, emissions unit, or other pollutant emitting activity at the source shall be considered a significant net emissions increase and a major modification for ozone, if the major stationary source is located in an extreme ozone nonattainment area that is subject to subpart 2, part D, title 1 of the clean air act.

(t) "Major stationary source" means all of the following:

(i) Any of the following:

(A) Any stationary source of air pollutants that emits or has the potential to emit 100 tons per year or more of any regulated new source review pollutant, except that lower emissions thresholds shall apply in areas subject to subpart 2, subpart 3, or subpart 4 of part D, title 1 of the clean air act, according to the following:

(1) In any serious ozone nonattainment area, 50 tons per year of volatile organic compounds.

(2) In an area within an ozone transport region except for any severe or extreme ozone nonattainment area, 50 tons per year of volatile organic compounds.

(3) In any severe ozone nonattainment area, 25 tons per year of volatile organic compounds.

(4) In any extreme ozone nonattainment area, 10 tons per year of volatile organic compounds.

(5) In any serious nonattainment area for carbon monoxide, where the department has determined that stationary sources contribute significantly to carbon monoxide levels in the area, 50 tons per year of carbon monoxide.

(6) In any serious nonattainment area for PM-10, 70 tons per year of PM-10.

(B) For the purposes of applying the requirements of R 336.2902(8) to stationary sources of nitrogen oxides located in an ozone nonattainment area or in an ozone transport region, any stationary source which emits, or has the potential to emit, 100 tons per year or more of nitrogen oxide emissions, except that the following emission thresholds shall apply in areas subject to subpart 2 of part D, title 1 of the clean air act:

(1) In any ozone nonattainment area classified as marginal or moderate, 100 tons per year or more of nitrogen oxides.

(2) In any ozone nonattainment area classified as a transitional, submarginal, or incomplete or no data area, when such area is located in an ozone transport region, 100 tons per year or more of nitrogen oxides.

(3) In any area designated under section 107(d) of the clean air act as attainment or unclassifiable for ozone that is located in an ozone transport region, 100 tons per year or more of nitrogen oxides.

(4) In any serious nonattainment area for ozone, 50 tons per year or more of nitrogen oxides.

(5) In any severe nonattainment area for ozone, 25 tons per year or more of nitrogen oxides.

(6) In any extreme nonattainment area for ozone, 10 tons per year or more of nitrogen oxides.

(C) Any physical change that would occur at a stationary source not qualifying under R 336.2901(t)(i)(A) or (B) as a major stationary source, if the change would constitute a major stationary source by itself.

(ii) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.

(iii) The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this paragraph whether it is a major stationary source, unless the source belongs to 1 of the following categories of stationary sources:

(A) Coal cleaning plants, with thermal dryers.

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- (B) Kraft pulp mills.
 - (C) Portland cement plants.
 - (D) Primary zinc smelters.
 - (E) Iron and steel mills.
 - (F) Primary aluminum ore reduction plants.
 - (G) Primary copper smelters.
 - (H) Municipal incinerators capable of charging more than 250 tons of refuse per day.
 - (I) Hydrofluoric, sulfuric, or nitric acid plants.
 - (J) Petroleum refineries.
 - (K) Lime plants.
 - (L) Phosphate rock processing plants.
 - (M) Coke oven batteries.
 - (N) Sulfur recovery plants.
 - (O) Carbon black plants, furnace process.
 - (P) Primary lead smelters.
 - (Q) Fuel conversion plants.
 - (R) Sintering plants.
 - (S) Secondary metal production plants.
 - (T) Chemical process plants.
 - (U) Fossil-fuel boilers, or combination thereof, totaling more than 250 million British thermal units per hour heat input.
 - (V) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels.
 - (W) Taconite ore processing plants.
 - (X) Glass fiber processing plants.
 - (Y) Charcoal production plants.
 - (Z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input.
 - (AA) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the clean air act.
- (u) “Necessary preconstruction approvals or permits” means a permit issued under R 336.1201(1)(a) that is required by R 336.2802 or R 336.2902.
- (v) “Net emissions increase” means all of the following:
- (i) With respect to any regulated new source review pollutant emitted by a major stationary source, the amount by which the sum of the following exceeds zero:
 - (A) The increase in emissions from a particular physical change or change in the method of operation at a stationary source as calculated under R 336.2902(2).
 - (B) Any other increases and decreases in actual emissions at the major stationary source that occur within the contemporaneous period and are otherwise creditable.
 - (ii) The contemporaneous period must meet all of the following:
 - (A) Begins on the date 5 years before construction on the particular change commences.
 - (B) Ends on the date that the increase from the particular change occurs.
 - (iii) An increase or decrease in actual emissions is creditable only if the department has not relied on it in issuing a permit under R 336.1201(1)(a) or R 336.1214a, which permit is in effect when the increase in actual emissions from the particular change occurs.
 - (iv) The magnitude of a creditable, contemporaneous increase in actual emissions is determined by the amount that the allowable emissions following the increase exceed the emission unit’s baseline actual emissions prior to the increase. This means allowable emissions and baseline actual emissions are determined from the date of the contemporaneous increase. Baseline actual emissions shall be determined as provided in the definition of baseline actual emissions, except that paragraphs (b)(i)(C) and (b)(ii)(D) of this subdivision shall not apply.
- (v) A contemporaneous decrease in actual emissions is creditable only to the extent that all of the following occur:
- (A) The magnitude of a creditable contemporaneous decrease is determined by the lower of the following:
 - (1) The amount by which the emission unit’s baseline emissions prior to the decrease exceed the level of allowable emissions following the decrease.
 - (2) The amount by which the emission unit’s allowable emissions prior to the decrease exceed the level of allowable emissions following the decrease.
 - (3) In determining the magnitude of a creditable contemporaneous decrease, allowable emissions and baseline actual emissions are determined from the date of the contemporaneous decrease. Baseline actual emissions shall be determined as provided in the definition of baseline actual emissions except that paragraphs (b)(i)(C) and (b)(ii)(D) of this subdivision shall

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not apply.

(B) It is enforceable as a practical matter at and after the time that actual construction on the particular change begins.

(C) The department has not relied on it in issuing any permit under R 336.1201(1)(a) or R 336.1214a.

(D) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vi) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(w) "Nonattainment major new source review" or "NSR" program means the requirements of this rule, R 336.1220, or R 336.1221. A permit issued under any of these rules is a major new source review permit.

(x) [Reserved]

(y) [Reserved]

(z) "Potential to emit" means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is legally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(aa) "Predictive emissions monitoring system" or "PEMS" means all of the equipment necessary to monitor process and control device operational parameters and other information and calculate and record the mass emissions rate on a continuous basis.

(bb) "Prevention of significant deterioration" or "PSD" permit means any permit that is issued under R 336.2802 or the prevention of significant deterioration of air quality regulations under 40 C.F.R. §52.21, adopted by reference in R 336.2901a.

(cc) "Project" means a physical change in, or change in the method of operation of, an existing major stationary source.

(dd) "Projected actual emissions" means the following:

(i) The maximum annual rate, in tons per year, at which an existing emissions unit is projected to emit a regulated new source review pollutant in any 1 of the 5 12-month periods following the date the unit resumes regular operation after the project, or in any 1 of the 10 12-month periods following that date, if the project involves increasing the emissions unit's design capacity or its potential to emit of that regulated new source review pollutant and full utilization of the unit would result in a significant emissions increase or a significant net emissions increase at the major stationary source.

(ii) In determining the projected actual emissions before beginning actual construction, the owner or operator of the major stationary source shall do the following:

(A) Consider all relevant information, including but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the state or federal regulatory authorities, and compliance plans under the approved state implementation plan.

(B) Include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(C) Exclude, in calculating any increase in emissions that results from the particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive 24-month period used to establish the baseline actual emissions of this rule and that are also unrelated to the particular project, including any increased utilization due to product demand growth.

(D) Elect to use the emissions unit's potential to emit in tons per year instead of calculating projected actual emissions.

(ee) "Regulated new source review pollutant" means any of the following:

(i) Nitrogen oxides or any volatile organic compounds.

(ii) Any pollutant for which a national ambient air quality standard has been promulgated.

(iii) Any pollutant that is a constituent or precursor of a general pollutant listed under paragraphs (i) or (ii) of this subdivision, provided that a constituent or precursor pollutant may only be regulated under new source review as part of regulation of the general pollutant.

(ff) "Secondary emissions" means emissions that would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purpose of this rule, secondary emissions shall be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions. Secondary emissions include emissions from any off-site support facility that would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions that come directly from a mobile source such as emissions from the tailpipe of a motor vehicle, from a train, or a vessel.

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(gg) “Significant” means all of the following:

(i) “Significant” means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants at a rate of emissions that would equal or exceed any of the following pollutant emission rates:

(A) Carbon monoxide: 100 tons per year.

(B) Nitrogen oxides: 40 tons per year.

(C) Sulfur dioxide: 40 tons per year.

(D) Ozone: 40 tons per year of volatile organic compounds or of nitrogen oxides.

(E) Lead: 0.6 tons per year.

(F) PM-10: 15 tons per year of PM-10.

(ii) Notwithstanding the significant emissions rate for ozone in R 336.2901(gg)(i)(D), significant means, in reference to an emissions increase or a net emissions increase, any increase in actual emissions of volatile organic compounds that would result from any physical change in, or change in the method of operation of, a major stationary source located in a serious or severe ozone nonattainment area that is subject to subpart 2, part D, title 1 of the clean air act, if such emissions increase of volatile organic compounds exceeds 25 tons per year.

(iii) For the purposes of applying the requirements of R 336.2902(8) to modifications at major stationary sources of nitrogen oxides located in an ozone nonattainment area or in an ozone transport region, the significant emission rates and other requirements for volatile organic compounds in R 336.2901(gg)(i)(D), R 336.2901(gg)(ii) and R 336.2901(gg)(v) shall apply to nitrogen oxides emissions.

(iv) Notwithstanding the significant emissions rate for carbon monoxide in R 336.2901(gg)(i)(A), significant means, in reference to an emissions increase or a net emissions increase, any increase in actual emissions of carbon monoxide that would result from any physical change in, or change in the method of operation of, a major stationary source in a serious nonattainment area for carbon monoxide if such increase equals or exceeds 50 tons per year, provided that the United States environmental protection agency has determined that the stationary sources contribute significantly to carbon monoxide levels in that area.

(v) Notwithstanding the significant emissions rates for ozone in R 336.2901(gg)(i)(D) and R 336.2901(gg)(ii), any increase in actual emissions of volatile organic compounds from any emissions unit at a major stationary source of volatile organic compounds located in an extreme ozone nonattainment area that is subject to subpart 2, part D, title 1 of the clean air act shall be considered a significant net emissions increase.

(hh) “Significant emissions increase” means, for a regulated new source review pollutant, an increase in emissions that is significant for that pollutant.

(ii) “Stationary source” means any building, structure, facility, or installation which emits or may emit a regulated new source review pollutant.

(jj) “Temporary clean coal technology demonstration project” means a clean coal technology demonstration project that is operated for a period of 5 years or less, and that complies with the state implementation plan and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

History: 2008 MR 12, Eff. June 20, 2008.

R 336.2901a Adoption by reference.

Rule 1901a. For the purpose of clarifying the definitions in these rules, the following documents are adopted by reference in these rules. Copies of the documents are available for inspection and purchase at the Air Quality Division, Department of Environmental Quality, 525 West Allegan Street, P.O. Box 30260, Lansing, Michigan 48909-7760, at a cost as of the time of adoption of these rules (AQD price). Copies of may be obtained from the Superintendent of Documents, Government Printing Office, P.O. Box 371954, Pittsburgh, Pennsylvania, 15250-7954, at a cost as of the time of adoption of these rules (GPO), or on the United States government printing office internet web site at <http://www.access.gpo.gov>.

(a) Title 40 C.F.R. 51.902(b), 40 C.F.R., part 51, appendix S, section IV, “Sources That Would Locate in a Designated Nonattainment Area,” (2006), AQD price \$55.00/GPO price \$45.00.

(b) Title 40 C.F.R., §52.21, “Prevention of Significant Deterioration of Air Quality,” (2006), AQD price \$70.00/GPO price \$60.00.

(c) Title 40 C.F.R., part 60, “Standards of Performance for New Stationary Sources,” (2006), AQD price \$68.00/GPO price \$58.00 for 60.1-end and AQD price \$67.00/GPO price \$57.00 for the appendices.

(d) Title 40 C.F.R., part 61, “National Emission Standards for Hazardous Air Pollutants,” (2006), AQD price \$55.00/GPO price \$45.00.

(e) Title 40 C.F.R., part 63, “National Emission Standards for Hazardous Air Pollutants for Source Categories,” (2006), AQD \$68.00/GPO \$58.00 for 63.1-63.599; AQD \$60.00/GPO \$50.00 for 63.600-63.1199; AQD \$60.00/GPO \$50.00 for 63.1200-63.1439; AQD \$42.00/GPO \$32.00 for 63.1440-63.6175; AQD \$42.00/GPO \$32.00 for 63.6580-63.8830; and AQD \$45.00/GPO \$35.00 for 63.8980-end.

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(f) Table 1 of the United States environmental protection agency's "Recommended Policy on Control of Volatile Organic Compounds," 42 FR 35314, July 8, 1977, at no cost. Copies of table 1 may be obtained from the Library of Michigan, State Law Library, 525 West Ottawa Street, P.O. Box 30007, Lansing, Michigan 48909, E-mail lmllib@michigan.gov, at no cost.

History: 2008 MR 12, Eff. June 20, 2008.

R 336.2902 Applicability.

Rule 1902. (1) This part applies to the construction of each new major stationary source or major modification that is both of the following:

- (a) Located in a nonattainment area.
- (b) Major for the pollutant for which the area is designated nonattainment.

For areas designated as nonattainment for ozone, this part shall apply only to any new major stationary source or major modification that is major for volatile organic compounds or nitrogen oxides.

- (2) This part applies to the construction of new major sources and major modifications to existing sources as follows:

(a) Except as otherwise provided in subrule (3) of this rule, and consistent with the definition of major modification, a project is a major modification for a regulated new source review pollutant if it causes both of the following emissions increases:

- (i) A significant emissions increase.
- (ii) A significant net emissions increase.

The project is not a major modification if it does not cause a significant emissions increase. If the project causes a significant emissions increase, then the project is a major modification only if it also results in a significant net emissions increase.

(b) The procedure for calculating whether a significant emissions increase will occur depends upon the type of emissions units being modified. The procedure for calculating whether a significant net emissions increase will occur at the major stationary source is contained in the definition of net emissions increase. Regardless of any such preconstruction projections, a major modification results if the project causes a significant emissions increase and a significant net emissions increase.

(c) The actual-to-projected-actual applicability test may be used for projects that only involve existing emissions units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions, for each existing emissions unit, equals or exceeds the significant amount for that pollutant.

(d) The actual-to-potential test may be used for projects that involve construction of new emissions units or modification of existing emissions units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the difference between the potential to emit from each new and modified emissions unit following completion of the project and the baseline actual emissions of these units before the project equals or exceeds the significant amount for that pollutant.

(e) The hybrid test may be used for projects that involve multiple types of emissions units. A significant emissions increase of a regulated new source review pollutant is projected to occur if the sum of the emissions increases for each emissions unit, using the appropriate methods specified above in this subrule as applicable with respect to each emissions unit, for each type of emissions unit equals or exceeds the significant amount for that pollutant.

(3) Any major stationary source for a plantwide applicability limit for a regulated new source review pollutant shall comply with R 336.2907.

(4) The provisions of this rule do not apply to a source or modification that would be a major stationary source or major modification only if fugitive emissions to the extent quantifiable are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the following categories:

- (a) Coal cleaning plants, with thermal dryers.
- (b) Kraft pulp mills.
- (c) Portland cement plants.
- (d) Primary zinc smelters.
- (e) Iron and steel mills.
- (f) Primary aluminum ore reduction plants.
- (g) Primary copper smelters.
- (h) Municipal incinerators capable of charging more than 250 tons of refuse per day.
- (i) Hydrofluoric, sulfuric, or citric acid plants.
- (j) Petroleum refineries.
- (k) Lime plants.
- (l) Phosphate rock processing plants.
- (m) Coke oven batteries.

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- (n) Sulfur recovery plants.
 - (o) Carbon black plants, furnace process.
 - (p) Primary lead smelters.
 - (q) Fuel conversion plants.
 - (r) Sintering plants.
 - (s) Secondary metal production plants.
 - (t) Chemical process plants.
 - (u) Fossil-fuel boilers, or combination thereof, totaling more than 250 million British thermal units per hour heat input.
 - (v) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels.
 - (w) Taconite ore processing plants.
 - (x) Glass fiber processing plants.
 - (y) Charcoal production plants.
 - (z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input.
 - (aa) Any other stationary source category which, as of August 7, 1980, is regulated under section 111 or 112 of the clean air act.
- (5) The following additional construction and permitting requirements apply:
- (a) Approval to construct shall not relieve any owner or operator of the responsibility to comply fully with any other applicable requirements and any other requirements under local, state, or federal law.
 - (b) At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforcement limitation that was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of R 336.2908 shall apply to the source or modification as though construction had not yet commenced on the source or modification.
 - (6) The following provisions apply to projects at existing emissions units at a major stationary source that is subject to either prevention of significant deterioration of air quality regulations or new source review for major sources in nonattainment areas regulations in circumstances where there is a reasonable possibility that a project that is not a part of a major modification may result in a significant emissions increase and the owner or operator elects to use the method in R 336.2901(dd) or R 336.2801(ll) for calculating projected actual emissions:
 - (a) Before beginning actual construction of the project, the owner or operator shall document and maintain a record of the following information:
 - (i) A description of the project.
 - (ii) Identification of the emissions units whose emissions of a regulated new source review pollutant may be affected by the project.
 - (iii) A description of the applicability test used to determine that the project is not a major modification for any regulated new source review pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under R 336.2901(dd)(ii)(C) and an explanation for why such amount was excluded, and any netting calculations, if applicable.
 - (b) If the emissions unit is an existing electric utility steam generating unit, before beginning actual construction, the owner or operator shall provide a copy of the information required by subdivision (a) of this subrule to the department. This subdivision does not require the owner or operator of such a unit to obtain any determination from the department before beginning actual construction.
 - (c) The owner or operator shall monitor the emissions of any regulated new source review pollutant that could increase as a result of the project and that is emitted by any emissions units identified under subdivision (a)(ii) of this subrule and calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of 5 years following resumption of regular operations after the change, or for a period of 10 years following resumption of regular operations after the change if the project increases the design capacity or potential to emit of that regulated new source review pollutant at the emissions unit.
 - (d) If the unit is an existing electric utility steam generating unit, then the owner or operator shall submit a report to the department within 60 days after the end of each year during which records shall be generated under subdivision (c) of this subrule setting out the unit's annual emissions during the year that preceded submission of the report.
 - (e) If the unit is an existing unit other than an electric utility steam generating unit, then the owner or operator shall submit a report to the department if the annual emissions, in tons per year, from the project identified pursuant to this subrule, exceed the baseline actual emissions by a significant amount for that regulated new source review pollutant, and if such emissions differ from the preconstruction projection. The report shall be submitted to the department within 60 days after the end of such year. The report shall contain all of the following information:
 - (i) The name, address and telephone number of the major stationary source.
 - (ii) The annual emissions as calculated under subdivision (c) of this subrule.

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(iii) Any other information that the owner or operator wishes to include in the report, for example, an explanation as to why the emissions differ from the preconstruction projection.

(f) A reasonable possibility that a project may result in a significant emissions increase occurs when the project is subject to R 336.1201(1)(a) and is not exempted from the requirement to obtain a permit to install by R 336.1278 to R 336.1290. If the owner or operator determines that the project is exempted by R 336.1278 to R 336.1290, then the owner or operator may proceed with the project without obtaining a permit to install. If an owner or operator develops calculations for the project pursuant to R 336.2901(dd) or R 336.2801(ll), the calculations may be used for the purpose of demonstrating compliance with R 336.1278a(1)(c).

(7) The owner or operator of the source shall make the information required to be documented and maintained under this rule available for review upon a request for inspection by the department, or the general public under section 5516(2) of the act, MCL 324.5516(2).

(8) The requirements of this part that apply to major stationary sources and major modifications of volatile organic compounds shall also apply to nitrogen oxides emissions from major stationary sources and major modifications of nitrogen oxides in an ozone transport region or in any ozone nonattainment area, except in ozone nonattainment areas or portions of an ozone transport region where the United States environmental protection agency has granted a NOx waiver applying the standards set forth under section 182(f) of the clean air act and the waiver continues to apply.

History: 2008 MR 12, Eff. June 20, 2008.

R 336.2903 Additional permit requirements for sources impacting nonattainment areas.

Rule 1903. (1) No new major stationary source or major modification shall be constructed in an area designated as attainment or unclassifiable for any national ambient air quality standard under section 107 of the clean air act, without first applying for a permit to install under R 336.1201(1)(a). The department shall not approve any permit to install that would cause or contribute to a violation of any national ambient air quality standard.

(2) A major source or major modification shall be considered to cause or contribute to a violation of a national ambient air quality standard when the source or modification would, at a minimum, exceed the following significance levels in Table 191 at any locality that does not or would not meet the applicable national standard:

Table 191

	Averaging time (hours)				
Pollutant	Annual	24	8	3	1
Sulfur dioxide	1.0 ug/m ³	5 ug/m ³		25 ug/m ³	
PM-10	1.0 ug/m ³	5 ug/m ³			
Nitrogen dioxide	1.0 ug/m ³				
Carbon Monoxide			500 ug/m ³		2000 ug/m ³

(3) The owner of a major stationary source or major modification subject to this rule may reduce the impact of its emissions upon air quality by obtaining sufficient emission reductions to, at a minimum, compensate for its adverse ambient impact where the major source or major modification would otherwise cause or contribute to a violation of any national ambient air quality standard. In the absence of such emission reductions, the department shall deny the proposed construction.

(4) This rule shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the source or modification is located in a nonattainment area.

History: 2008 MR 12, Eff. June 20, 2008.

R 336.2907 Actuals plantwide applicability limits or PALs.

Rule 1907. (1) The following definitions apply to the use of actuals PALs. If a term is not defined in these paragraphs, then it shall have the meaning given in R 336.2901:

(a) "Actuals PAL for a major stationary source" means a PAL based on the baseline actual emissions of all emissions units at the source that emit or have the potential to emit the PAL pollutant.

(b) "Allowable emissions" means allowable emissions as defined in R 336.1101(k), except this definition is modified in the following manner:

(i) The allowable emissions for any emissions unit shall be calculated considering any emission limitations that are enforceable as a practical matter on the emissions unit's potential to emit.

(ii) An emissions unit's potential to emit shall be determined using the definition in R 336.2901(z), except that the words "or enforceable as a practical matter" shall be added after "legally enforceable."

(c) "Small emissions unit" means an emissions unit that emits or has the potential to emit the PAL pollutant in an amount less than the significant level for that PAL pollutant.

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- (d) "Major emissions unit" means either of the following:
 - (i) Any emissions unit that emits or has the potential to emit 100 tons per year or more of the PAL pollutant in an attainment area.
 - (ii) Any emissions unit that emits or has the potential to emit the PAL pollutant in an amount that is equal to or greater than the major source threshold for the PAL pollutant as defined by the clean air act for nonattainment areas. For example, in accordance with the definition of major stationary source in section 182(c) of the clean air act, an emissions unit is a major emissions unit for volatile organic compounds if the emissions unit is located in a serious ozone nonattainment area and it emits or has the potential to emit 50 or more tons of volatile organic compounds per year.
- (e) "Plantwide applicability limitation" or "PAL" means an emission limitation, expressed in tons per year, for a pollutant at a major stationary source that is enforceable as a practical matter and established source-wide in accordance with this rule.
- (f) "PAL effective date" generally means the date of issuance of the PAL permit. However, the PAL effective date for an increased PAL is the date any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.
- (g) "PAL effective period" means the period beginning with the PAL effective date and ending 10 years later.
- (h) "PAL major modification" means, notwithstanding R 336.2901(s) and (v), the definitions for major modification and net emissions increase, any physical change in or change in the method of operation of the PAL source that causes it to emit the PAL pollutant at a level equal to or greater than the PAL.
- (i) "PAL permit" means the permit to install that establishes a PAL for a major stationary source.
- (j) "PAL pollutant" means the pollutant for which a PAL is established at a major stationary source.
- (k) "Significant emissions unit" means an emissions unit that emits or has the potential to emit a PAL pollutant in an amount that is equal to or greater than the significant level for that PAL pollutant, but less than the amount that would qualify the unit as a major emissions unit.
- (2) The following requirements pertain to applicability:
 - (a) The department may approve the use of an actuals PAL for any existing major stationary source if the PAL meets the requirements of this rule. "PAL" means "actuals PAL" in this rule.
 - (b) The department shall not allow an actuals PAL for volatile organic compounds or nitrogen oxides for any major stationary source located in an extreme ozone nonattainment area.
 - (c) For physical change in or change in the method of operation of a major stationary source that maintains its total source-wide emissions below the PAL level, meets the requirements of this rule, and complies with the PAL permit, all of the following shall apply:
 - (i) Is not a major modification for the PAL pollutant.
 - (ii) Does not have to be approved through the permitting requirements of this rule.
 - (iii) Is not subject to the provisions in R 336.2902(5)(b), restrictions on relaxing enforceable emission limitations that the major stationary source used to avoid applicability of the nonattainment major new source review program.
 - (d) Except as provided under subdivision (c)(iii) of this subrule, a major stationary source shall continue to comply with all applicable federal, state, or local requirements, emission limitations, and work practice requirements that were established before the effective date of the PAL.
- (3) As part of a permit application requesting a PAL, the owner or operator of a major stationary source shall submit all of the following information to the department for approval:
 - (a) A list of all emissions units at the source designated as small, significant, or major based on their potential to emit. In addition, the owner or operator of the source shall indicate which, if any, federal, state, or local applicable requirements, emission limitations, or work practices apply to each unit.
 - (b) Calculations of the baseline actual emissions with supporting documentation. Baseline actual emissions shall include emissions associated not only with operation of the unit, but also emissions associated with startup, shutdown, and malfunction.
 - (c) The calculation procedures that the major stationary source owner or operator proposes to use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by subrule (13)(a) of this rule.
- (4) The following general requirements apply for establishing PALs:
 - (a) The department may establish a PAL at a major stationary source, provided that, at a minimum, all the following requirements are met:
 - (i) The PAL shall impose an annual emission limitation in tons per year, which is enforceable as a practical matter, for the entire major stationary source. For each month during the PAL effective period after the first 12 months of establishing a PAL, the major stationary source owner or operator shall show that the sum of the monthly emissions from each emissions unit under the PAL for the previous 12 consecutive months is less than the PAL (a 12-month total, rolled monthly). For each month during the first 11 months from the PAL effective date, the major stationary source owner or operator shall show that

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the sum of the preceding monthly emissions from the PAL effective date for each emissions unit under the PAL is less than the PAL.

(ii) The PAL shall be established in a permit to install that meets the public participation requirements in subrule (5) of this rule.

(iii) The PAL permit to install shall contain all the requirements of subrule (7) of this rule.

(iv) The PAL shall include fugitive emissions, to the extent quantifiable, from all emissions units that emit or have the potential to emit the PAL pollutant at the major stationary source.

(v) Each PAL shall regulate emissions of only 1 pollutant.

(vi) Each PAL shall have a PAL effective period of 10 years.

(vii) The owner or operator of the major stationary source with a PAL shall comply with the monitoring, recordkeeping, and reporting requirements provided in subrules (12) to (14) of this rule for each emissions unit under the PAL through the PAL effective period.

(b) At no time, during or after the PAL effective period, are emissions reductions of a PAL pollutant, which occur during the PAL effective period, creditable as decreases for purposes of offsets under R 336.2908(5) unless the level of the PAL is reduced by the amount of such emissions reductions and such reductions would be creditable in the absence of the PAL.

(5) PALs for existing major stationary sources shall be established, renewed, or increased through a permit to install issued under R 336.1201(1)(a). The department shall provide the public with notice of the proposed approval of a PAL permit and at least a 30-day period for submittal of public comment. The department shall address all material comments before taking final action on the permit.

(6) The following apply to setting the 10-year actuals PAL level.

(a) Except as provided in subdivision (b) of this subrule, the actuals PAL level for a major stationary source shall be established as the sum of the baseline actual emissions of the PAL pollutant for each emissions unit at the source; plus an amount equal to the applicable significant level for the PAL pollutant. When establishing the actuals PAL level, for a PAL pollutant, only 1 consecutive 24-month period shall be used to determine the baseline actual emissions for all existing emissions units. However, a different consecutive 24-month period may be used for each different PAL pollutant. Emissions associated with units that were permanently shut down after this 24-month period shall be subtracted from the PAL level. The department shall specify a reduced PAL level, in tons per year, in the PAL permit to become effective on the future compliance date of any applicable federal or state regulatory requirements before issuance of the PAL permit. For instance, if the source owner or operator will be required to reduce emissions from industrial boilers in half from baseline emissions of 60 parts per million nitrogen oxides to a new rule limit of 30 parts per million, then the permit shall contain a future effective PAL level that is equal to the current PAL level reduced by half of the original baseline emissions of such unit.

(b) For newly constructed units, which do not include modifications to existing units, on which actual construction began after the 24-month period, instead of adding the baseline actual emissions as specified in subdivision (a) of this subrule, the emissions shall be added to the PAL level in an amount equal to the potential to emit of the units.

(7) The PAL permit shall contain, at a minimum, all of the following information:

(a) The PAL pollutant and the applicable source-wide emission limitation in tons per year.

(b) The PAL permit effective date and the expiration date of the PAL (PAL effective period).

(c) Specification in the PAL permit that if a major stationary source owner or operator applies to renew a PAL under subrule (10) of this rule before the end of the PAL effective period, then the PAL shall not expire at the end of the PAL effective period. The PAL shall remain in effect until a revised PAL permit is issued by the department.

(d) A requirement that emission calculations for compliance purposes include emissions from startups, shutdowns, and malfunctions.

(e) A requirement that, once the PAL expires, the major stationary source is subject to subrule (9) of this rule.

(f) The calculation procedures that the major stationary source owner or operator shall use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by subrule (13)(a) of this rule.

(g) A requirement that the major stationary source owner or operator monitor all emissions units under subrule (12) of this rule.

(h) A requirement to retain on-site the records required under subrule (13) of this rule. The records may be retained in an electronic format.

(i) A requirement to submit the reports required under subrule (14) of this rule by the required deadlines.

(j) Any other requirements that the department determines necessary to implement and enforce the PAL.

(8) The following shall apply to the PAL effective period and reopening of the PAL permit:

(a) The department shall specify a PAL effective period of 10 years.

(b) The following shall apply to reopening of the PAL permit:

(i) During the PAL effective period, the department shall reopen the PAL permit to do any of the following:

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(A) Correct typographical or calculation errors made in setting the PAL or reflect a more accurate determination of emissions used to establish the PAL.

(B) Reduce the PAL if the owner or operator of the major stationary source creates creditable emissions reductions for use as offsets under R 336.2908(5)(b) through (h).

(C) Revise the PAL to reflect an increase in the PAL as provided under subrule (11) of this rule.

(ii) The department may reopen the PAL permit for any of the following:

(A) Reduce the PAL to reflect newly applicable federal requirements with compliance dates after the PAL effective date.

(B) Reduce the PAL consistent with any other requirement, that is enforceable as a practical matter, and that the department may impose on the major stationary source under the state implementation plan.

(C) Reduce the PAL if the department determines that a reduction is necessary to avoid causing or contributing to a national ambient air quality standard or PSD increment violation, or to an adverse impact on an air quality related value that has been identified for a federal class I area by a federal land manager and for which information is available to the general public.

(iii) Except for a permit reopening for the correction of typographical or calculation errors that do not increase the PAL level, all other reopenings shall be carried out in accordance with the public participation requirements of subrule (5) of this rule.

(9) Any PAL, which is not renewed in accordance with the procedures in subrule (10) of this rule, shall expire at the end of the PAL effective period, and the following requirements of this paragraph shall apply:

(a) Each emissions unit, or each group of emissions units, that existed under the PAL shall comply with an allowable emission limitation under a revised permit established according to the following procedures:

(i) Within the time frame specified for PAL renewals in subrule (10)(b) of this rule, the major stationary source shall submit a proposed allowable emission limitation for each emissions unit, or each group of emissions units, if such a distribution is more appropriate as determined by the department, by distributing the PAL allowable emissions for the major stationary source among each of the emissions units that existed under the PAL. If the PAL had not yet been adjusted for an applicable requirement that became effective during the PAL effective period, as required under subrule (10)(e) of this rule, then the distribution shall be made as if the PAL had been adjusted.

(ii) The department shall determine whether and how the PAL allowable emissions will be distributed and issue a revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, as the department determines is appropriate.

(b) Each emissions unit shall comply with the allowable emission limitation on a 12-month rolling basis. The department may approve the use of monitoring systems other than CEMS, CERMS, PEMS or CPMS to demonstrate compliance with the allowable emission limitation.

(c) Until the department issues the revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, the source shall continue to comply with a source-wide, multi-unit emissions cap equivalent to the level of the PAL emission limitation.

(d) Any physical change or change in the method of operation at the major stationary source shall be subject to the nonattainment major new source review requirements if the change meets the definition of major modification in R 336.2901(s).

(e) The major stationary source owner or operator shall continue to comply with all state, federal, or local applicable requirements that may have applied either during the PAL effective period or before the PAL effective period, except for those emission limitations that were eliminated by the PAL under subrule (2)(c)(iii) of this rule.

(10) The following shall apply to renewal of a PAL:

(a) The department shall follow the procedures specified in subrule (5) of this rule in approving any request to renew a PAL for a major stationary source, and shall provide both the proposed PAL level and a written rationale for the proposed PAL level to the public for review and comment. During such public review, any person may propose a PAL level for the source for consideration by the department.

(b) A major stationary source owner or operator shall submit a timely application to the department to request renewal of a PAL. A timely application is one that is submitted at least 6 months before, but not earlier than 18 months from, the date of permit expiration. This deadline for application submittal is to ensure that the permit will not expire before the permit is renewed. If the owner or operator of a major stationary source submits a complete application to renew the PAL within this time period, then the PAL shall continue to be effective until the revised permit with the renewed PAL is issued.

(c) The application to renew a PAL permit shall contain all of the following information:

(i) The information required in subrule (3) of this rule.

(ii) A proposed PAL level.

(iii) The sum of the potential to emit of all emissions units under the PAL with supporting documentation.

(iv) Any other information the owner or operator wishes the department to consider in determining the appropriate level for

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renewing the PAL.

(d) In determining whether and how to adjust the PAL, the department shall consider either of the options outlined in paragraphs (i) and (ii) of this subdivision. The adjustment shall comply with paragraph (iii) of this subdivision.

(i) If the emissions level calculated in accordance with subrule (6) of this rule is equal to or greater than 80% of the PAL level, the department may renew the PAL at the same level without considering the factors in paragraph (ii) of this subdivision.

(ii) The department may set the PAL at a level that it determines to be more representative of the source's baseline actual emissions, or that it determines to be appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the source's voluntary emissions reductions, or other factors as specifically identified by the department in its written rationale.

(iii) Notwithstanding paragraphs (i) and (ii) of this subdivision, both of the following shall apply:

(A) If the potential to emit of the major stationary source is less than the PAL, then the department shall adjust the PAL to a level not greater than the potential to emit of the source.

(B) The department shall not approve a renewed PAL level higher than the current PAL, unless the major stationary source has complied with subrule (11) of this rule.

(e) If the compliance date for a state, federal, or local requirement that applies to the PAL source occurs during the PAL effective period, and if the department has not already adjusted for such requirement, then the PAL shall be adjusted at the time of PAL permit renewal or renewable operating permit renewal, whichever occurs first.

(11) The following shall apply to increasing a PAL during the PAL effective period:

(a) The department may increase a PAL emission limitation only if the major stationary source complies with the following provisions:

(i) The owner or operator of the major stationary source shall submit a complete application to request an increase in the PAL limit for a PAL major modification. The application shall identify the emissions units contributing to the increase in emissions so as to cause the major stationary source's emissions to equal or exceed its PAL.

(ii) As part of this application, the major stationary source owner or operator shall demonstrate that the sum of the baseline actual emissions of the small emissions units, plus the sum of the baseline actual emissions of the significant and major emissions units assuming application of BACT equivalent controls, plus the sum of the allowable emissions of the new or modified emissions units exceeds the PAL. The level of control that would result from BACT equivalent controls on each significant or major emissions unit shall be determined by conducting a new BACT analysis at the time the application is submitted, unless the emissions unit is currently required to comply with a BACT or LAER requirement that was established within the preceding 10 years. In such a case, the assumed control level for that emissions unit shall be equal to the level of BACT or LAER with which that emissions unit shall currently comply.

(iii) The owner or operator obtains a major new source review permit for all emissions units identified in paragraph (i) of this subdivision, regardless of the magnitude of the emissions increase resulting from them (that is, no significant levels apply). These emissions units shall comply with any emissions requirements resulting from the nonattainment major new source review program process (for example, LAER), even though they have also become subject to the PAL or continue to be subject to the PAL.

(iv) The PAL permit shall require that the increased PAL level shall be effective on the day any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.

(b) The department shall calculate the new PAL as the sum of the allowable emissions for each modified or new emissions unit, plus the sum of the baseline actual emissions of the significant and major emissions units, assuming application of BACT equivalent controls as determined in subdivision (a)(ii) of this subrule, plus the sum of the baseline actual emissions of the small emissions units.

(c) The PAL permit shall be revised to reflect the increased PAL level under the public notice requirements of subrule (5) of this rule.

(12) The following shall apply to monitoring requirements for PALs:

(a) The following general requirements shall apply:

(i) Each PAL permit shall contain enforceable requirements for the monitoring system that accurately determines plantwide emissions of the PAL pollutant in terms of mass per unit of time. Any monitoring system authorized for use in the PAL permit shall be based on sound science and meet generally acceptable scientific procedures for data quality and manipulation. Additionally, the information generated by the system shall meet minimum legal requirements for admissibility in a judicial proceeding to enforce the PAL permit.

(ii) The PAL monitoring system shall employ 1 or more of the 4 general monitoring approaches meeting the minimum requirements set forth in subdivision (b) of this subrule and shall be approved by the department.

(iii) Notwithstanding paragraph (ii) of this subdivision, an owner or operator may also employ an alternative monitoring approach that meets paragraph (i) of this subdivision if approved by the department.

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- (iv) Failure to use a monitoring system that meets the requirements of this rule renders the PAL invalid.
- (b) Minimum performance requirements for approved monitoring approaches. The following are acceptable general monitoring approaches when conducted in accordance with the minimum requirements in subdivisions (c) to (i) of this subrule:
 - (i) Mass balance calculations for activities using coatings or solvents.
 - (ii) CEMS.
 - (iii) CPMS or PEMS.
 - (iv) Emission factors.
- (c) An owner or operator using mass balance calculations to monitor PAL pollutant emissions from activities using coating or solvents shall meet all of the following requirements:
 - (i) Provide a demonstrated means of validating the published content of the PAL pollutant that is contained in or created by all materials used in or at the emissions unit.
 - (ii) Assume that the emissions unit emits all of the PAL pollutant that is contained in or created by any raw material or fuel used in or at the emissions unit, if it cannot otherwise be accounted for in the process.
 - (iii) Where the vendor of a material or fuel, which is used in or at the emissions unit, publishes a range of pollutant content from such material, then the owner or operator shall use the highest value of the range to calculate the PAL pollutant emissions unless the department determines there is site-specific data or a site-specific monitoring program to support another content within the range.
- (d) An owner or operator using CEMS to monitor PAL pollutant emissions shall meet both of the following requirements:
 - (i) CEMS shall comply with applicable performance specifications found in 40 C.F.R. part 60, appendix B, adopted by reference in R 336.2901a.
 - (ii) CEMS shall sample, analyze, and record data at least every 15 minutes while the emissions unit is operating.
- (e) An owner or operator using CPMS or PEMS to monitor PAL pollutant emissions shall meet both of the following requirements:
 - (i) The CPMS or the PEMS shall be based on current site-specific data demonstrating a correlation between the monitored parameters and the PAL pollutant emissions across the range of operation of the emissions unit.
 - (ii) Each CPMS or PEMS shall sample, analyze, and record data at least every 15 minutes, or at another less frequent interval approved by the department, while the emissions unit is operating.
- (f) An owner or operator using emission factors to monitor PAL pollutant emissions shall meet all of the following requirements:
 - (i) All emission factors shall be adjusted, if appropriate, to account for the degree of uncertainty or limitations in the factors' development.
 - (ii) The emissions unit shall operate within the designated range of use for the emission factor, if applicable.
 - (iii) If technically practicable, the owner or operator of a significant emissions unit that relies on an emission factor to calculate PAL pollutant emissions shall conduct validation testing to determine a site-specific emission factor within 6 months of PAL permit issuance, unless the department determines that testing is not required.
- (g) A source owner or operator shall record and report maximum potential emissions without considering enforceable emission limitations or operational restrictions for an emissions unit during any period of time that there is no monitoring data, unless another method for determining emissions during such periods is specified in the PAL permit.
- (h) Notwithstanding the requirements in subdivision (c) to (g) of this subrule, if an owner or operator of an emissions unit cannot demonstrate a correlation between the monitored parameters and the PAL pollutant emissions rate at all operating points of the emissions unit, then the department shall, at the time of permit issuance do either of the following:
 - (i) Establish default values for determining compliance with the PAL based on the highest potential emissions reasonably estimated at such operating points.
 - (ii) Determine that operation of the emissions unit during operating conditions when there is no correlation between monitored parameters and the PAL pollutant emissions is a violation of the PAL.
- (i) All data used to establish the PAL pollutant must be re-validated through performance testing or other scientifically valid means approved by the department. Testing shall occur at least once every 5 years after issuance of the PAL.
- (13) All of the following recordkeeping requirements shall apply:
 - (a) The PAL permit shall require an owner or operator to retain a copy of all records necessary to determine compliance with this rule and of the PAL, including a determination of each emissions unit's 12-month rolling total emissions, for 5 years from the date of the record.
 - (b) The PAL permit shall require an owner or operator to retain a copy of all of the following records for the duration of the PAL effective period plus 5 years:
 - (i) A copy of the PAL permit application and any applications for revisions to the PAL.
 - (ii) Each annual certification of compliance pursuant to renewable operating permit and the data relied on in certifying the

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compliance.

(14) The owner or operator shall submit semiannual monitoring reports and prompt deviation reports to the department in accordance with the source's renewable operating permit. The reports shall meet all of the following requirements:

(a) The semiannual report shall be submitted to the department within 30 days of the end of each reporting period. This report shall contain all of the following information:

- (i) The identification of owner and operator and the permit number.
- (ii) Total annual emissions, tons per year, based on a 12-month rolling total for each month in the reporting period recorded under subrule (13)(a) of this rule.
- (iii) All data relied upon, including, but not limited to, any quality assurance or quality control data, in calculating the monthly and annual PAL pollutant emissions.
- (iv) A list of any emissions units modified or added to the major stationary source during the preceding 6-month period.
- (v) The number, duration, and cause of any deviations or monitoring malfunctions, other than the time associated with zero and span calibration checks, and any corrective action taken.
- (vi) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method included in the permit, as provided by subrule (12)(g) of this rule.
- (vii) A signed statement by the responsible official, as defined by the applicable renewable operating permit, certifying the truth, accuracy, and completeness of the information provided in the report.

(b) The major stationary source owner or operator shall promptly submit reports of any deviations or exceedance of the PAL requirements, including periods where no monitoring is available. A report submitted under R 336.1213(3)(c)(ii) shall satisfy this reporting requirement. The deviation reports shall be submitted within the time limits prescribed by the source's renewable operating permit. The reports shall contain all of the following information:

- (i) The identification of owner and operator and the permit number.
- (ii) The PAL requirement that experienced the deviation or that was exceeded.
- (iii) Emissions resulting from the deviation or the exceedance.
- (iv) A signed statement by the responsible official, as defined by the source's renewable operating permit, certifying the truth, accuracy, and completeness of the information provided in the report.

(c) The owner or operator shall submit to the department the results of any re-validation test or method within 3 months after completion of the test or method.

History: 2008 MR 12, Eff. June 20, 2008.

R 336.2908 Conditions for approval of a major new source review permit in a nonattainment area.

Rule 1908. (1) The department may only issue a permit approving the construction of a new major stationary source or major modification in a nonattainment area if the department has determined that the owner or operator of the major stationary source or major modification will comply with all of the provisions of this rule.

(2) The owner or operator of the proposed major stationary source or major modification shall provide an analysis of alternative sites, sizes, production processes, and environmental control techniques for the proposed major stationary source or major modification which demonstrates that the benefits of the proposed major stationary source or major modification significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

(3) The major stationary source or major modification shall comply with the lowest achievable emissions rate for each regulated new source review pollutant for which the area is designated as nonattainment.

(4) All stationary sources which have a potential to emit 100 or more tons per year of any air contaminant regulated under the clean air act, which are located in the state, and which are owned or controlled by the owner, operator, or an entity controlling, controlled by, or under common control with, the owner or operator of the proposed major stationary source or major modification shall be in compliance with all applicable local, state, and federal air quality regulations and shall be in compliance with a legally enforceable permit condition or order of the department specifying a plan and timetable for compliance.

(5) Before the start-up of the new major stationary source or major modification, an emission reduction offset for each major nonattainment air contaminant shall be provided consistent with the following provisions:

(a) The baseline for determining credit for emissions reductions is the emissions limit under the state implementation plan in effect at the time the application to construct is filed, except that the offset baseline shall be the actual emissions of the source from which offset credit is obtained where either of the following occurs:

- (i) The demonstration of reasonable further progress and attainment of ambient air quality standards is based upon the actual emissions of sources located within the nonattainment area.

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- (ii) The state implementation plan does not contain an emissions limitation for that source or source category.
- (b) The following requirements apply to emissions offset credits:
 - (i) Where the allowable emissions are greater emissions than the potential to emit of the source, emissions offset credit shall be allowed only for control below this potential.
 - (ii) For an existing fuel combustion source, credit shall be based on the source's allowable emissions for the type of fuel being burned at the time the application to construct is filed. If the existing source commits to switch to a cleaner fuel at some future date, then emissions offset credit based on the allowable, or actual, emissions for the fuels involved is not acceptable, unless the permit is conditioned to require the use of a specified alternative control measure which would achieve the same degree of emissions reduction should the source switch back to a dirtier fuel at some later date. The department shall ensure that adequate long-term supplies of the new fuel are available before granting emissions offset credit for fuel switches.
 - (c) An emission reduction credit shall not be creditable as an emission offset unless it meets the following requirements:
 - (i) Emissions reductions that have been achieved by shutting down an existing emission unit or curtailing production or operating hours may be generally credited for offsets only if they meet all of the following requirements:
 - (A) The reductions are surplus, permanent, quantifiable and federally enforceable.
 - (B) The shutdown or curtailment occurred after the last day of the base year for the SIP planning process. The department may choose to consider a prior shutdown or curtailment to have occurred after the last day of the base year if the projected emissions inventory used to develop the attainment demonstration explicitly includes emissions from such previously shutdown or curtailed emission units. However, credit shall not be given for shutdowns that occurred before August 7, 1977.
 - (ii) Emissions reductions that are achieved by shutting down an existing emissions unit or curtailing production or operating hours and that do not meet the requirements of R 336.2908(5)(c)(i)(B) may be generally credited only if they meet either of the following:
 - (A) The shutdown or curtailment occurred on or after the date the construction permit application is filed.
 - (B) The applicant can establish that the proposed new emissions unit is a replacement for the shutdown or curtailed emissions unit, and the emissions reductions are surplus, permanent, quantifiable and federally enforceable.
 - (d) Emissions credit shall not be allowed for replacing 1 hydrocarbon compound with another of lesser reactivity, except for those compounds listed in table 1 of the United States environmental protection agency's "Recommended Policy on Control of Volatile Organic Compounds," 42 FR 35314, July 8, 1977, adopted by reference in R 336.2901a.
 - (e) All emission reductions claimed as offset credit shall be federally enforceable.
 - (f) Offsets shall be obtained from the same nonattainment area as the proposed major source or major modification, except another nonattainment area may be used if both of the following conditions are met:
 - (i) The other area has an equal or higher nonattainment classification than the area in which the proposed source is located.
 - (ii) Nonattainment air contaminant emissions from the other area contribute to a violation of a national ambient air quality standard in the nonattainment area in which the proposed major source or major modification would be located.
 - (g) Credit for an emissions reduction may be claimed to the extent that the reviewing authority has not relied on it in issuing any permit required by R 336.1220 or R 336.2902 and the department has not relied on it in demonstrating attainment or reasonable further progress.
 - (h) The total tonnage of increased emissions, in tons per year, resulting from a major modification that must be offset shall be determined by summing the difference between the allowable emissions after the modification and the actual emissions before the modification for each emissions unit. Unless specified otherwise in this rule, the offset ratio for each nonattainment air pollutant that will be emitted in significant amounts from a new major source or major modification located in a nonattainment area that is subject to subpart 1, part D, title 1 of the clean air act shall be at least 1:1.
 - (i) The provisions of this subrule do not apply to emissions resulting from proposed major sources or major modifications to the extent that the emissions are temporary and will not prevent reasonable further progress towards attainment of any applicable standard. Examples of temporary emissions include emissions from all of the following:
 - (i) Pilot plants.
 - (ii) Portable facilities which will be relocated outside the nonattainment area within 18 months.
 - (iii) The construction phase of a new major stationary source or major modification.
 - (6) For facilities meeting the emissions offset requirements of R 336.2908(5) for ozone nonattainment areas that are subject to subpart 2, part D, title 1 of the clean air act, the facility must meet the following requirements:
 - (a) The ratio of total actual emissions reductions of VOC to the emissions increase of VOC shall be as follows:
 - (i) In any marginal nonattainment area for ozone, the ratio shall be 1.1:1.
 - (ii) In any moderate nonattainment area for ozone, the ratio shall be 1.15:1.
 - (iii) In any serious nonattainment area for ozone, the ratio shall be 1.2:1.
 - (iv) In any severe nonattainment area for ozone, the ratio shall be 1.3:1, except that the ratio may be 1.2:1 if all existing major sources in the severe nonattainment area use BACT for the control of VOC.

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(v) In any extreme nonattainment area for ozone, the ratio shall be 1.5:1, except that the ratio may be 1.2:1 if all existing major sources in the extreme nonattainment area use BACT for the control of VOC.

(b) Notwithstanding the requirements of R 336.2908(6)(a) for meeting the requirements of R 336.2908(5), the ratio of total actual emissions reductions of VOC to the emissions increase of VOC shall be 1.15:1 for all areas within an ozone transport region that is subject to subpart 2, part D, title 1 of the clean air act except for serious, severe, and extreme ozone nonattainment areas that are subject to subpart 2, part D, title 1 of the clean air act.

(c) For each facility meeting the emissions offset requirements of R 336.2908(5) for ozone nonattainment areas that are subject to subpart 1, part D, title 1 of the clean air act but are not subject to subpart 2, part D, title 1 of the clean air act, including 8-hour ozone nonattainment areas subject to 40 C.F.R. 51.902(b), the ratio of total actual emissions reductions of VOC to the emissions increase of VOC shall be 1:1. Title 40 C.F.R. 51.902(b) is adopted by reference in R 336.2901a.

(7) The requirements of this section that apply to major stationary sources and major modifications of PM-10 shall also apply to major stationary sources and major modifications of PM-10 precursors, except when the department determines that such sources do not contribute significantly to PM-10 levels that exceed the PM-10 ambient standards in the area.

History: 2008 MR 12, Eff. June 20, 2008.

R 336.2910 Administrative hearings.

Rule 1910. A person aggrieved by an action or inaction of the department under prevention of significant deterioration of air quality regulations or new source review for major sources in nonattainment areas regulations may request a formal hearing, under 1969 PA 306, MCL 24.201. The following apply:

(a) The request shall be received by the department within 30 days after the person received notice of the decision to approve or deny the permit.

(b) The final decision in granting a contested case hearing lies with the department. To receive a contested case hearing, a person shall demonstrate 1 of the following:

(i) The person is the permit applicant.

(ii) The person participated in the permit review process, either by submitting written comments during the 30-day public notice period or by attending the public hearing and making comments for the official record, and the comments were not adequately addressed by the department in the permit review process.

(iii) The terms or conditions of the permit for which the person requests a hearing were added by the department after the 30-day notice period expired, and no additional opportunity for public input was offered by the department.

(c) When the department issues a permit pursuant to the requirements of the prevention of significant deterioration of air quality regulations or new source review for major sources in nonattainment areas regulations, the permit is valid upon issuance and it is not automatically stayed if a person requests a formal hearing pursuant to this rule. A permittee may immediately initiate construction after permit issuance. However, the permittee faces the risk that a subsequent hearing may alter the terms or conditions of the permit.

History: 2008 MR 12, Eff. June 20, 2008.

DEPARTMENT OF COMMUNITY HEALTH

DIRECTOR'S OFFICE

AUDIOLOGIST - GENERAL RULES

R 338.1

Source: 2005 AACs.

R 338.2

Source: 2005 AACs.

R 338.3

Source: 2005 AACs.

R 338.4

Source: 2005 AACs.

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Source: 2005 AACs.

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Source: 2005 AACs.

R 338.7

Source: 2005 AACs.

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R 338.9

Source: 2005 AACs.

R 338.10

Source: 2005 AACs.

R 338.11

Source: 2005 AACs.

R 338.12

Source: 2005 AACs.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

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R 338.81

Source: 2001 AACs.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

OSTEOPATHIC MEDICINE AND SURGERY—CONTINUING EDUCATION

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Source: 1991 AACs.

R 338.92

Source: 1991 AACs.

R 338.93

Source: 1991 AACs.

R 338.94

Source: 1991 AACs.

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Source: 1991 AACs.

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Source: 1991 AACS.

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- R 338.134**
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- R 338.241**
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- R 338.251**
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R 338.292
Source: 1997 AACs.

BOARD OF REGISTRATION IN PODIATRY
SCOPE OF EXAMINATIONS FOR LICENSURE

R 338.311
Source: 1997 AACs.

R 338.312
Source: 1997 AACs.

BOARD OF PODIATRIC MEDICINE AND SURGERY
ADMINISTRATIVE HEARINGS

R 338.341
Source: 1997 AACs.

R 338.342
Source: 1997 AACs.

R 338.343
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R 338.344
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R 338.345
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R 338.346
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R 338.347
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R 338.348
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R 338.349
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R 338.350
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R 338.351
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R 338.352
Source: 1997 AACs.

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R 338.353
Source: 1997 AACs.

R 338.354
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R 338.355
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R 338.356
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R 338.357
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R 338.358
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R 338.359
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R 338.360
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R 338.361
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R 338.362
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R 338.363
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R 338.364
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R 338.365
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R 338.366
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R 338.367
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R 338.368
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R 338.369
Source: 1997 AACs.

R 338.370
Source: 1997 AACs.

R 338.371
Source: 1997 AACs.

R 338.372
Source: 1997 AACs.

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R 338.373
Source: 1997 AACS.

R 338.374
Source: 1997 AACS.

R 338.375
Source: 1997 AACS.

R 338.376
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R 338.377
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R 338.378
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R 338.379
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R 338.380
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R 338.381
Source: 1997 AACS.

R 338.382
Source: 1997 AACS.

R 338.383
Source: 1997 AACS.

R 338.384
Source: 1997 AACS.

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PHARMACY

PART 1. GENERAL PROVISIONS

R 338.471
Source: 1979 AC.

R 338.471a
Source: 2007 AACS.

R 338.472
Source: 2007 AACS.

R 338.473
Source: 2007 AACS.

R 338.473a
Source: 2007 AACS.

R 338.473b
Source: 1997 AACS.

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- R 338.473c**
Source: 1986 AACS.
- R 338.473d**
Source: 2007 AACS.
- R 338.474a**
Source: 2007 AACS.
- R 338.475**
Source: 2007 AACS.
- R 338.476**
Source: 1980 AACS.
- R 338.477**
Source: 1998-2000 AACS.
- R 338.477a**
Source: 1979 AC.
- R 338.477b**
Source: 1998-2000 AACS.
- R 338.478**
Source: 1979 AC.
- R 338.479**
Source: 1980 AACS.
- R 338.479b**
Source: 2007 AACS.
- R 338.479c**
Source: 1998-2000 AACS.
- R 338.480**
Source: 1992 AACS.
- R 338.480a**
Source: 1998-2000 AACS.
- R 338.481**
Source: 1998-2000 AACS.
- R 338.482**
Source: 1980 AACS.
- R 338.483**
Source: 1997 AACS.
- R 338.485**
Source: 1997 AACS.
- R 338.485a**
Source: 1997 AACS.
- R 338.485b**

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Source: 1997 AACs.

R 338.485c

Source: 1997 AACs.

R 338.485d

Source: 1997 AACs.

R 338.485e

Source: 1997 AACs.

R 338.485f

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R 338.485g

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R 338.485h

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R 338.485i

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R 338.485j

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R 338.485k

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R 338.485l

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R 338.485m

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R 338.485n

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R 338.485o

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R 338.485p

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R 338.485q

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R 338.485r

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R 338.485s

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R 338.485t

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R 338.485u
Source: 1997 AACS.

R 338.485v
Source: 1997 AACS.

R 338.485w
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R 338.485x
Source: 1997 AACS.

R 338.485y
Source: 1997 AACS.

R 338.486
Source: 1998-2000 AACS.

R 338.488
Source: 1990 AACS.

R 338.489
Source: 2007 AACS.

R 338.490
Source: 1998-2000 AACS.

PART 2. MANUFACTURING AND DISTRIBUTION OF PRESCRIPTION DRUGS

R 338.493a
Source: 1998-2000 AACS.

R 338.493b
Source: 1992 AACS.

R 338.493c
Source: 1992 AACS.

R 338.493d
Source: 1992 AACS.

R 338.493e
Source: 1998-2000 AACS.

R 338.493f
Source: 1981 AACS.

R 338.493g
Source: 1992 AACS.

R 338.493h
Source: 1997 AACS.

R 338.494
Source: 1997 AACS.

R 338.495
Source: 1998-2000 AACS.

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R 338.496
Source: 1998-2000 AACS.

R 338.497
Source: 1981 AACS.

PART 3. MEDICATION DRUG BOX EXCHANGE PROGRAMS FOR HOSPICE

R 338.500
Source: 1995 AACS.

**BOARD OF REGISTRATION FOR ARCHITECTS,
PROFESSIONAL ENGINEERS, AND LAND SURVEYORS
BYLAWS AND RULES**

R 338.551
Source: 1997 AACS.

R 338.552
Source: 1997 AACS.

R 338.553
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R 338.554
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R 338.555
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R 338.558
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R 338.560
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R 338.561
Source: 1997 AACS.

R 338.562
Source: 1997 AACS.

R 338.563
Source: 1997 AACS.

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R 338.581
Source: 1997 AACS.

R 338.582
Source: 1997 AACS.

R 338.583
Source: 1997 AACS.

R 338.584
Source: 1997 AACS.

R 338.585
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R 338.586
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R 338.587
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R 338.588
Source: 1997 AACS.

BOARD OF EXAMINERS IN MORTUARY SCIENCE
GENERAL RULES

R 338.863
Source: 1997 AACS.

R 338.864
Source: 1997 AACS.

R 338.865
Source: 1997 AACS.

R 338.866
Source: 1997 AACS.

R 338.867
Source: 1997 AACS.

R 338.868
Source: 1997 AACS.

R 338.869
Source: 1997 AACS.

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R 338.881
Source: 1997 AACS.

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Annual Administrative Code Supplement
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R 338.901
Source: 1986 AACS.

R 338.902
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R 338.903
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R 338.904
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R 338.905
Source: 1986 AACS.

R 338.906
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R 338.907
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R 338.908
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R 338.909
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R 338.910
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R 338.911
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R 338.912
Source: 1986 AACS.

R 338.913
Source: 1986 AACS.

R 338.914
Source: 1986 AACS.

PLUMBING—LICENSES

R 338.921
Source: 1985 AACS.

R 338.922
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R 338.923
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R 338.924
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R 338.926
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R 338.927
Source: 1985 AACS.

R 338.928
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R 338.929
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R 338.930
Source: 1985 AACS.

R 338.931
Source: 1985 AACS.

R 338.932
Source: 1979 AC.

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R 338.941
Source: 1998-2000 AACS.

R 338.942
Source: 1981 AACS.

R 338.943
Source: 1981 AACS.

R 338.944
Source: 1980 AACS.

**HEALTH CODE BOARDS DISCIPLINARY
PROCEEDINGS—FILINGS BEFORE APRIL 1, 1994**

R 338.951
Source: 2007 AACS.

R 338.952
Source: 2007 AACS.

R 338.953
Source: 2007 AACS.

R 338.954
Source: 2007 AACS.

R 338.955
Source: 2007 AACS.

R 338.956
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R 338.957
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R 338.958

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Source: 2007 AACCS.

R 338.959

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R 338.960

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R 338.961

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R 338.962

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R 338.964

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R 338.966

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R 338.967

Source: 2007 AACCS.

R 338.968

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R 338.970

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R 338.971

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R 338.972

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R 338.974

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R 338.975

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R 338.976

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R 338.977

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R 338.978
Source: 2007 AACS.

R 338.979
Source: 2007 AACS.

R 338.980
Source: 2007 AACS.

R 338.981
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R 338.982
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R 338.984
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R 338.987
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R 338.988
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R 338.989
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R 338.990
Source: 2007 AACS.

ELECTRICAL RULES

R 338.1001
Source: 1997 AACS.

R 338.1001a
Source: 1994 AACS.

R 338.1002
Source: 1997 AACS.

R 338.1002a
Source: 1994 AACS.

R 338.1003
Source: 1997 AACS.

R 338.1003a
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R 338.1004
Source: 1997 AACS.

R 338.1004a
Source: 1994 AACS.

R 338.1005
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R 338.1005a
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R 338.1005b
Source: 1996 AACS.

R 338.1005c
Source: 1996 AACS.

R 338.1005d
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R 338.1006
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R 338.1006a
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R 338.1006b
Source: 1996 AACS.

R 338.1007
Source: 1997 AACS.

R 338.1007a
Source: 1994 AACS.

R 338.1008
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R 338.1008a
Source: 1994 AACS.

R 338.1009
Source: 1997 AACS.

R 338.1009a
Source: 1994 AACS.

R 338.1010a
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R 338.1011
Source: 1997 AACS.

R 338.1011a
Source: 1996 AACS.

R 338.1012
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R 338.1012a
Source: 1994 AACS.

R 338.1013
Source: 1997 AACS.

R 338.1013a
Source: 1996 AACS.

R 338.1014
Source: 1997 AACS.

R 338.1014a
Source: 1996 AACS.

R 338.1015
Source: 1997 AACS.

R 338.1015a
Source: 1996 AACS.

R 338.1016
Source: 1997 AACS.

R 338.1016a
Source: 1994 AACS.

R 338.1017
Source: 1997 AACS.

R 338.1017a
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R 338.1018
Source: 1997 AACS.

R 338.1018a
Source: 1994 AACS.

R 338.1019
Source: 1997 AACS.

R 338.1020
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R 338.1021
Source: 1997 AACS.

R 338.1022
Source: 1997 AACS.

R 338.1022a
Source: 1994 AACS.

R 338.1023
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R 338.1023a
Source: 1994 AACS.

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R 338.1024
Source: 1997 AACS.

R 338.1027a
Source: 1996 AACS.

R 338.1031
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R 338.1032
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R 338.1033
Source: 1997 AACS.

R 338.1035a
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R 338.1037a
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R 338.1039a
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R 338.1041
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R 338.1042
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R 338.1043
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R 338.1044
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R 338.1045
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R 338.1046
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R 338.1051
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R 338.1052
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R 338.1053
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R 338.1054
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R 338.1055
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R 338.1056
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- R 338.1057**
Source: 1997 AACS.
- R 338.1058**
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- R 338.1059**
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- R 338.1060**
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- R 338.1061**
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- R 338.1062**
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- R 338.1063**
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- R 338.1071**
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- R 338.1072**
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- R 338.1073**
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- R 338.1074**
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- R 338.1075**
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- R 338.1076**
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- R 338.1077**
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- R 338.1081**
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- R 338.1082**
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- R 338.1083**
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- R 338.1084**
Source: 1997 AACS.
- R 338.1085**
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- R 338.1086**
Source: 1997 AACS.

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R 338.1087
Source: 1997 AACS.

R 338.1088
Source: 1997 AACS.

R 338.1099a
Source: 1994 AACS.

STATE BOARD OF PHYSICAL THERAPY REGISTRATION
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R 338.1131
Source: 1997 AACS.

R 338.1132
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R 338.1133
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R 338.1134
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R 338.1135
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R 338.1136
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R 338.1137
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R 338.1138
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R 338.1139
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R 338.1140
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R 338.1141
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R 338.1142
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R 338.1144
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R 338.1145
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R 338.1146
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R 338.1147
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R 338.1148
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R 338.1149
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R 338.1150
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R 338.1151
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R 338.1161
Source: 1997 AACS.

R 338.1162
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R 338.1163
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R 338.1164
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R 338.1165
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R 338.1166
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R 338.1167
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R 338.1168
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R 338.1170
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R 338.1171
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R 338.1172
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R 338.1173
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R 338.1174
Source: 1997 AACS.

R 338.1175
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R 338.1176
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R 338.1177
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R 338.1178
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R 338.1176
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R 338.1177
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R 338.1178
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R 338.1179
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R 338.1180
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R 338.1181
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R 338.1182
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R 338.1183
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R 338.1184
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R 338.1185
Source: 1997 AACS.

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R 338.1191
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R 338.1192
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R 338.1194
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R 338.1196
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R 338.1197
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R 338.1197a
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R 338.1198
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R 338.1200
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R 338.1201
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R 338.1203
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R 338.1204
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R 338.1205
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R 338.1206
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R 338.1207
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R 338.1208
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R 338.1209
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R 338.1210
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R 338.1211
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R 338.1212
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R 338.1213
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R 338.1217
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R 338.1218
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R 338.1219
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R 338.1220
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R 338.1222
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R 338.1227
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R 338.1234
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R 338.1235
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R 338.1241
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R 338.1242
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R 338.1243
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R 338.1246
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R 338.1258
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R 338.1259
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R 338.1261
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R 338.1262
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R 338.1263
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R 338.1264
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R 338.1265
Source: 1997 AACS.

BOARD OF PROFESSIONAL COMMUNITY PLANNERS
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R 338.1301
Source: 1997 AACS.

APPLICATIONS

R 338.1303
Source: 1997 AACS.

R 338.1304
Source: 1997 AACS.

R 338.1305
Source: 1997 AACS.

R 338.1306
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R 338.1307
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R 338.1311
Source: 1997 AACS.

R 338.1312
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R 338.1313
Source: 1997 AACS.

R 338.1314
Source: 1997 AACS.

R 338.1315
Source: 1997 AACS.

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R 338.1321
Source: 1997 AACS.

R 338.1322
Source: 1997 AACS.

R 338.1323
Source: 1997 AACS.

R 338.1324
Source: 1997 AACS.

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R 338.1341
Source: 1997 AACS.

R 338.1342
Source: 1997 AACS.

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HOROLOGY

R 338.1401
Source: 1997 AACS.

R 338.1402
Source: 1997 AACS.

R 338.1403
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R 338.1404
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R 338.1405
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R 338.1406
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R 338.1407
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R 338.1408
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R 338.1409
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R 338.1410
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R 338.1411
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R 338.1412

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Source: 1997 AACS.

R 338.1413

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R 338.1414

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R 338.1415

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R 338.1417

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R 338.1423

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R 338.1424

Source: 1997 AACS.

RESIDENTIAL BUILDERS' AND MAINTENANCE AND ALTERATION CONTRACTORS' BOARD

GENERAL RULES

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R 338.1511

Source: 2006 AACS.

R 338.1512

Source: 1998-2000 AACS.

R 338.1519

Source: 1990 AACS.

R 338.1521

Source: 2006 AACS.

R 338.1521a Requirements for examination.

Rule 21a. As a condition for approval to take the residential builder or maintenance and alteration contractor examination, applicants for licensure shall meet all other licensing requirements, including successful completion of the prelicensure

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education requirements.

History: 2008 MR 11, Eff. June 11, 2008.

PART 2. LICENSES AND BONDS

R 338.1522

Source: 1997 AACS.

R 338.1523

Source: 1997 AACS.

R 338.1523a

Source: 1998-2000 AACS.

R 338.1524

Source: 2006 AACS.

R 338.1525

Source: 2006 AACS.

R 338.1526

Source: 2006 AACS.

R 338.1531

Source: 2006 AACS.

R 338.1532

Source: 2006 AACS.

R 338.1533

Source: 2006 AACS.

R 338.1534

Source: 2006 AACS.

R 338.1535

Source: 2006 AACS.

R 338.1536

Source: 2006 AACS.

PART 5. COMPLAINTS AND HEARINGS

R 338.1551

Source: 2006 AACS.

R 338.1554

Source: 1997 AACS.

R 338.1555

Source: 2002 AACS.

PART 6. EDUCATION

R 338.1560 Instructor qualifications.

Rule 60. An instructor of prelicensure or continuing competency courses shall possess either of the following qualifications:

- (a) Be qualified pursuant to the requirements of MCL 339.2404b(4).

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(b) Be qualified by experience, education, or both, to supervise and instruct a prelicensure or continuing competency course required pursuant to MCL 339.2404b, including at least 1 of the following:

(i) Properly licensed, certified or approved instructor at a high school, intermediate school district, community college, university, the bureau of construction codes, the Michigan occupational safety and health administration, other government agency, or a proprietary school licensed by the department.

(ii) Currently licensed as a residential builder or maintenance and alteration contractor with at least 3 years of experience in the subject matter being taught.

(iii) Possess equivalent qualifications approved by the department.

History: 2008 MR 11, Eff. June 11, 2008.

R 338.1562 School, institution, sponsor or instructor responsibilities.

Rule 62. (1) The school, institution, sponsor, or instructor, as determined appropriate by the department, shall do all of the following:

(a) Submit to the department the qualifications of each instructor to be used in an approved course not fewer than 60 days before the instructor is scheduled to begin instruction. The department may waive this deadline at its discretion.

(b) Report student course completion to the department in a form and manner as prescribed by the department.

(c) Retain all course attendance records for a period of 5 years.

(2) Instructors shall be responsible for all of the following:

(a) Compliance with all laws and rules relating to prelicensure and continuing competency courses pursuant to the act.

(b) Providing students with current and accurate information.

(c) Maintaining an environment conducive to learning.

(d) Assuring and certifying attendance of students enrolled in courses.

(e) Providing assistance to students and responding to questions relating to course materials.

History: 2008 MR 11, Eff. June 11, 2008.

DIRECTOR'S OFFICE

HEALTH CODE BOARDS DISCIPLINARY PROCEEDINGS

R 338.1601

Source: 1996 AACCS.

R 338.1602

Source: 1996 AACCS.

R 338.1603

Source: 1996 AACCS.

R 338.1604

Source: 1996 AACCS.

R 338.1605

Source: 1996 AACCS.

R 338.1606

Source: 1996 AACCS.

R 338.1607

Source: 1996 AACCS.

R 338.1608

Source: 1996 AACCS.

R 338.1609

Source: 1996 AACCS.

R 338.1610

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Source: 1996 AACS.

R 338.1611

Source: 1996 AACS.

R 338.1612

Source: 1996 AACS.

R 338.1614

Source: 1996 AACS.

R 338.1615

Source: 1996 AACS.

R 338.1616

Source: 1996 AACS.

R 338.1617

Source: 1996 AACS.

R 338.1618

Source: 1996 AACS.

R 338.1619

Source: 1996 AACS.

R 338.1620

Source: 1996 AACS.

R 338.1621

Source: 1996 AACS.

R 338.1622

Source: 1996 AACS.

R 338.1623

Source: 1996 AACS.

R 338.1624

Source: 1996 AACS.

R 338.1625

Source: 1996 AACS.

R 338.1626

Source: 1996 AACS.

R 338.1627

Source: 1996 AACS.

R 338.1628

Source: 1996 AACS.

R 338.1629

Source: 1996 AACS.

R 338.1630

Source: 1996 AACS.

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R 338.1631
Source: 1996 AACS.

R 338.1632
Source: 1996 AACS.

R 338.1633
Source: 1996 AACS.

R 338.1634
Source: 1996 AACS.

R 338.1635
Source: 1996 AACS.

R 338.1636
Source: 1996 AACS.

R 338.1637
Source: 1996 AACS.

COUNSELING

PART 1. GENERAL PROVISIONS

R 338.1751
Source: 2003 AACS.

R 338.1752
Source: 2003 AACS.

R 338.1752a
Source: 1993 AACS.

R 338.1753
Source: 2003 AACS.

R 338.1754
Source: 1995 AACS.

R 338.1756
Source: 2003 AACS.

MARRIAGE COUNSELORS

R 390.1801
Source: 2003 AACS.

PART 1. ORGANIZATION OF BOARD

R 338.1811
Source: 1997 AACS.

R 338.1812
Source: 1997 AACS.

R 338.1813

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Source: 1997 AACS.

R 338.1814

Source: 1997 AACS.

R 338.1815

Source: 1997 AACS.

PART 2. CERTIFICATION

R 338.1821

Source: 1997 AACS.

R 338.1822

Source: 1997 AACS.

R 338.1823

Source: 1997 AACS.

R 338.1824

Source: 1997 AACS.

R 338.1825

Source: 1997 AACS.

PART 3. HEARINGS

R 338.1831

Source: 1997 AACS.

R 338.1832

Source: 1997 AACS.

R 338.1833

Source: 1997 AACS.

R 338.1834

Source: 1997 AACS.

R 338.1835

Source: 1997 AACS.

R 338.1836

Source: 1997 AACS.

R 338.1837

Source: 1997 AACS.

R 338.1841

Source: 1998-2000 AACS.

R 338.1842

Source: 1998-2000 AACS.

R 338.1843

Source: 1998-2000 AACS.

R 338.1844

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Source: 1998-2000 AACS.

R 338.1861

Source: 1998-2000 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTORS OFFICE

HEARING AID DEALERS

PART 1. LICENSING

R 338.1901

Source: 1998-2000 AACS.

R 338.1905

Source: 1998-2000 AACS.

R 338.1906

Source: 1998-2000 AACS.

R 338.1907

Source: 1998-2000 AACS.

R 338.1908

Source: 1998-2000 AACS.

R 338.1909

Source: 1998-2000 AACS.

R 338.1910

Source: 1998-2000 AACS.

R 338.1911

Source: 1998-2000 AACS.

R 338.1912

Source: 1998-2000 AACS.

R 338.1913

Source: 1998-2000 AACS.

R 338.1914

Source: 1998-2000 AACS.

PART 2. CONDUCT OF BUSINESS

R 338.1921

Source: 1998-2000 AACS.

R 338.1922

Source: 1998-2000 AACS.

HEARING AID DEALERS

PART 3. COMPLAINTS AND HEARINGS

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R 338.1941
Source: 1997 AACS.

R 338.1942
Source: 1997 AACS.

R 338.1943
Source: 1997 AACS.

BARBER EXAMINERS

R 338.2001
Source: 1997 AACS.

R 338.2002
Source: 1997 AACS.

R 338.2003
Source: 1997 AACS.

R 338.2004
Source: 1997 AACS.

R 338.2005
Source: 1997 AACS.

R 338.2006
Source: 1997 AACS.

R 338.2007
Source: 1997 AACS.

R 338.2008
Source: 1997 AACS.

R 338.2009
Source: 1997 AACS.

R 338.2010
Source: 1997 AACS.

R 338.2011
Source: 1997 AACS.

R 338.2012
Source: 1997 AACS.

R 338.2013
Source: 1997 AACS.

R 338.2014
Source: 1997 AACS.

R 338.2015
Source: 1997 AACS.

R 338.2016
Source: 1997 AACS.

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R 338.2017
Source: 1997 AACs.

R 338.2018
Source: 1997 AACs.

R 338.2019
Source: 1997 AACs.

R 338.2020
Source: 1997 AACs.

R 338.2021
Source: 1997 AACs.

R 338.2022
Source: 1997 AACs.

R 338.2023
Source: 1997 AACs.

R 338.2024
Source: 1997 AACs.

R 338.2025
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R 338.2026
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R 338.2027
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R 338.2028
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R 338.2029
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R 338.2030
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R 338.2031
Source: 1997 AACs.

R 338.2032
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R 338.2033
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R 338.2034
Source: 1997 AACs.

R 338.2035
Source: 1997 AACs.

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R 338.2036
Source: 1997 AACs.

R 338.2037
Source: 1997 AACs.

R 338.2038
Source: 1997 AACs.

R 338.2039
Source: 1997 AACs.

R 338.2040
Source: 1997 AACs.

R 338.2041
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R 338.2042
Source: 1997 AACs.

R 338.2043
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R 338.2044
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R 338.2045
Source: 1997 AACs.

R 338.2046
Source: 1997 AACs.

R 338.2047
Source: 1997 AACs.

R 338.2048
Source: 1997 AACs.

R 338.2049
Source: 1997 AACs.

R 338.2050
Source: 1997 AACs.

R 338.2051
Source: 1997 AACs.

R 338.2052
Source: 1997 AACs.

R 338.2053
Source: 1997 AACs.

R 338.2054
Source: 1997 AACs.

COSMETOLOGY

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PART 1. GENERAL PROVISIONS

- R 338.2101**
Source: 2006 AACs.
- R 338.2102**
Source: 1998-2000 AACs.
- R 338.2103**
Source: 1998-2000 AACs.
- R 338.2106**
Source: 1998-2000 AACs.
- R 338.2107**
Source: 1998-2000 AACs.
- R 338.2109**
Source: 1979 AC.

PART 2. LICENSES AND PERMITS

- R 338.2121**
Source: 1998-2000 AACs.
- R 338.2122**
Source: 1998-2000 AACs.
- R 338.2123**
Source: 1998-2000 AACs.
- R 338.2124**
Source: 1998-2000 AACs.
- R 338.2125**
Source: 1998-2000 AACs.
- R 338.2126**
Source: 1998-2000 AACs.
- R 338.2127**
Source: 2006 AACs.
- R 338.2128**
Source: 1979 AC.

PART 3. FACILITIES AND EQUIPMENT

- R 338.2131**
Source: 1998-2000 AACs.
- R 338.2132**
Source: 1998-2000 AACs.
- R 338.2132a**
Source: 1998-2000 AACs.
- R 338.2133**

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Source: 1998-2000 AACS.

R 338.2134

Source: 2006 AACS.

R 338.2135

Source: 1998-2000 AACS.

R 338.2136

Source: 1998-2000 AACS.

R 338.2137

Source: 1998-2000 AACS.

R 338.2138

Source: 1998-2000 AACS.

R 338.2139

Source: 2004 AACS.

R 338.2139a

Source: 2006 AACS.

PART 4. ADVERTISING; REGISTRATION; EXAMINATION; RECORDS; TRANSFERS

R 338.2141

Source: 2004 AACS.

R 338.2142

Source: 1998-2000 AACS.

R 338.2143

Source: 1998-2000 AACS.

R 338.2144

Source: 1998-2000 AACS.

R 338.2145

Source: 2006 AACS.

R 338.2146

Source: 1998-2000 AACS.

R 338.2147

Source: 1997 AACS.

R 338.2148

Source: 1998-2000 AACS.

R 338.2149

Source: 1998-2000 AACS.

PART 5. CURRICULUM

R 338.2151

Source: 2004 AACS.

R 338.2151a

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Source: 1998-2000 AACS.

R 338.2152

Source: 1998-2000 AACS.

R 338.2153

Source: 1998-2000 AACS.

R 338.2155

Source: 1997 AACS.

R 338.2156

Source: 1998-2000 AACS.

PART 6. HEALTH AND SAFETY

R 338.2161

Source: 1998-2000 AACS.

R 338.2161a

Source: 2004 AACS.

R 338.2161b

Source: 2004 AACS.

R 338.2162

Source: 1998-2000 AACS.

R 338.2162a

Source: 2004 AACS.

R 338.2163

Source: 1998-2000 AACS.

R 338.2163a

Source: 2004 AACS.

R 338.2163b

Source: 1998-2000 AACS.

R 338.2163c

Source: 2004 AACS.

R 338.2166

Source: 1998-2000 AACS.

R 338.2167

Source: 1998-2000 AACS.

R 338.2168

Source: 1998-2000 AACS.

R 338.2169

Source: 1998-2000 AACS.

PART 7. INSTRUCTORS AND DEMONSTRATORS

R 338.2171

Source: 1998-2000 AACS.

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R 338.2172
Source: 1998-2000 AACCS.

R 338.2173
Source: 1998-2000 AACCS.

R 338.2174
Source: 1998-2000 AACCS.

R 338.2175
Source: 1998-2000 AACCS.

R 338.2176
Source: 1998-2000 AACCS.

R 338.2178
Source: 1998-2000 AACCS.

R 338.2179
Source: 1998-2000 AACCS.

R 338.2179a
Source: 1998-2000 AACCS.

R 338.2179b
Source: 1998-2000 AACCS.

R 338.2179c
Source: 1998-2000 AACCS.

R 338.2179d
Source: 1998-2000 AACCS.

R 338.2179e
Source: 2004 AACCS.

R 338.2179f
Source: 1998-2000 AACCS.

R 338.2179g
Source: 2004 AACCS.

R 338.2179h
Source: 1998-2000 AACCS.

PART 8. STUDENTS

R 338.2181
Source: 1998-2000 AACCS.

R 338.2182
Source: 1998-2000 AACCS.

R 338.2183
Source: 1998-2000 AACCS.

R 338.2184

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Source: 1998-2000 AACS.

R 338.2185

Source: 1998-2000 AACS.

R 338.2186

Source: 1998-2000 AACS.

PART 9. HEARINGS

R 338.2191

Source: 1997 AACS.

R 338.2192

Source: 1997 AACS.

R 338.2193

Source: 1997 AACS.

R 338.2194

Source: 1997 AACS.

R 338.2195

Source: 1997 AACS.

RESPIRATORY

R 338.2201

Source: 2006 AACS.

R 338.2202

Source: 2006 AACS.

R 338.2203

Source: 2006 AACS.

R 338.2204

Source: 2006 AACS.

R 338.2205

Source: 2006 AACS.

R 338.2206

Source: 2006 AACS.

R 338.2207

Source: 2006 AACS.

CHIROPRACTIC

R 338.2208

Source: 1997 AACS.

R 338.2209

Source: 1997 AACS.

R 338.2210

Source: 1997 AACS.

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R 338.2211
Source: 1997 AACs.

R 338.2212
Source: 1997 AACs.

R 338.2213
Source: 1997 AACs.

R 338.2214
Source: 1997 AACs.

R 338.2215
Source: 1997 AACs.

R 338.2216
Source: 1997 AACs.

R 338.2217
Source: 1997 AACs.

R 338.2218
Source: 1997 AACs.

R 338.2219
Source: 1997 AACs.

R 338.2220
Source: 1997 AACs.

R 338.2221
Source: 1997 AACs.

R 338.2222
Source: 1997 AACs.

R 338.2223
Source: 1997 AACs.

R 338.2224
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R 338.2225
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R 338.2226
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R 338.2227
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R 338.2228
Source: 1997 AACs.

R 338.2229
Source: 1997 AACs.

R 338.2230

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Source: 1997 AACS.

R 338.2231

Source: 1997 AACS.

R 338.2232

Source: 1997 AACS.

R 338.2233

Source: 1997 AACS.

R 338.2234

Source: 1997 AACS.

R 338.2235

Source: 1997 AACS.

R 338.2236

Source: 1997 AACS.

R 338.2237

Source: 1997 AACS.

R 338.2238

Source: 1997 AACS.

R 338.2239

Source: 1997 AACS.

R 338.2240

Source: 1997 AACS.

R 338.2241

Source: 1997 AACS.

R 338.2242

Source: 1997 AACS.

R 338.2243

Source: 1997 AACS.

R 338.2244

Source: 1997 AACS.

R 338.2245

Source: 1997 AACS.

MEDICINE

PART 1. GENERAL PROVISIONS

R 338.2301

Source: 1987 AACS.

R 338.2302

Source: 1979 AC.

R 338.2303

Annual Administrative Code Supplement
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Source: 1985 AACS.

R 338.2304

Source: 1998-2000 AACS.

R 338.2305

Source: 1998-2000 AACS.

R 338.2308

Source: 1990 AACS.

R 338.2309

Source: 1979 AC.

PART 2. LICENSES

R 338.2311

Source: 1997 AACS.

R 338.2312

Source: 1997 AACS.

R 338.2313

Source: 1987 AACS.

R 338.2314

Source: 1994 AACS.

R 338.2315

Source: 1997 AACS.

R 338.2316

Source: 1994 AACS.

R 338.2317

Source: 1994 AACS.

R 338.2318

Source: 1994 AACS.

R 338.2319

Source: 1994 AACS.

R 338.2320

Source: 1997 AACS.

R 338.2322

Source: 1997 AACS.

R 338.2323

Source: 1997 AACS.

R 338.2325

Source: 1997 AACS.

R 338.2326

Source: 1987 AACS.

R 338.2327

Source: 1997 AACS.

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R 338.2327a
Source: 1991 AACS.

R 338.2328
Source: 1997 AACS.

R 338.2329
Source: 1997 AACS.

R 338.2329a
Source: 1989 AACS.

PART 3. ADMINISTRATIVE HEARINGS

R 338.2330
Source: 1997 AACS.

R 338.2331
Source: 1997 AACS.

R 338.2332
Source: 1997 AACS.

R 338.2333
Source: 1997 AACS.

R 338.2334
Source: 1997 AACS.

R 338.2335
Source: 1997 AACS.

R 338.2336
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R 338.2337
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R 338.2338
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R 338.2339
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R 338.2340
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R 338.2341
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R 338.2342
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R 338.2343
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R 338.2344
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R 338.2345
Source: 1997 AACs.

R 338.2346
Source: 1997 AACs.

R 338.2347
Source: 1997 AACs.

R 338.2348
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R 338.2349
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R 338.2350
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R 338.2351
Source: 1997 AACs.

R 338.2352
Source: 1997 AACs.

R 338.2353
Source: 1997 AACs.

R 338.2354
Source: 1997 AACs.

R 338.2355
Source: 1997 AACs.

PART 5. CONTINUING MEDICAL EDUCATION

R 338.2371
Source: 1991 AACs.

R 338.2372
Source: 1979 AC.

R 338.2373
Source: 1979 AC.

R 338.2374
Source: 1991 AACs.

R 338.2375
Source: 1979 AC.

R 338.2376
Source: 1991 AACs.

R 338.2377
Source: 1979 AC.

R 338.2378
Source: 1979 AC.

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R 338.2379
Source: 1991 AACS.

R 338.2380
Source: 1991 AACS.

R 338.2381
Source: 1991 AACS.

R 338.2382
Source: 1991 AACS.

LAND SURVEYORS

R 338.2401
Source: 1997 AACS.

R 338.2402
Source: 1997 AACS.

R 338.2403
Source: 1997 AACS.

R 338.2404
Source: 1997 AACS.

R 338.2405
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R 338.2406
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R 338.2407
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R 338.2408
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R 338.2409
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R 338.2410
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R 338.2411
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R 338.2413
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R 338.2414
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R 338.2415
Source: 1997 AACS.

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R 338.2416
Source: 1997 AACS.

R 338.2417
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R 338.2418
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R 338.2419
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R 338.2420
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Source: 1997 AACS.

R 338.2436

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R 338.2437

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R 338.2438

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R 338.2440

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R 338.2449

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R 338.2450

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R 338.2451

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R 338.2452

Source: 1997 AACS.

R 338.2453

Source: 1997 AACS.

R 338.2454

Source: 1997 AACS.

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R 338.2455
Source: 1997 AACCS.

R 338.2456
Source: 1997 AACCS.

R 338.2457
Source: 1997 AACCS.

R 338.2458
Source: 1997 AACCS.

R 338.2459
Source: 1997 AACCS.

R 338.2460
Source: 1997 AACCS.

R 338.2461
Source: 1997 AACCS.

PSYCHOLOGY

R 338.2501
Source: 2005 AACCS.

R 338.2502
Source: 1979 AC.

R 338.2503
Source: 2007 AACCS.

R 338.2504
Source: 2003 AACCS.

R 338.2505
Source: 2007 AACCS.

R 338.2505a
Source: 2007 AACCS.

R 338.2506
Source: 2007 AACCS.

R 338.2507
Source: 2007 AACCS.

R 338.2507a
Source: 2005 AACCS.

R 338.2508
Source: 2003 AACCS.

R 338.2509
Source: 2003 AACCS.

R 338.2510
Source: 2005 AACCS.

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R 338.2510a
Source: 2007 AACCS.

R 338.2511
Source: 2007 AACCS.

R 338.2512
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R 338.2513
Source: 1982 AACCS.

R 338.2514
Source: 2007 AACCS.

R 338.2515
Source: 2007 AACCS.

R 338.2516
Source: 2007 AACCS.

REAL ESTATE SCHOOLS

R 338.2601
Source: 1997 AACCS.

R 338.2602
Source: 1997 AACCS.

R 338.2603
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R 338.2604
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R 338.2605
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R 338.2606
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R 338.2607
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R 338.2608
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R 338.2609
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R 338.2610
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R 338.2611
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R 338.2613
Source: 1997 AACS.

R 338.2614
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R 338.2615
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R 338.2616
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R 338.2617
Source: 1997 AACS.

R 338.2618
Source: 1997 AACS.

R 338.2619
Source: 1997 AACS.

REAL ESTATE BROKERS AND SALESMEN

R 338.2701
Source: 1997 AACS.

R 338.2703
Source: 1997 AACS.

R 338.2721
Source: 1997 AACS.

R 338.2722
Source: 1997 AACS.

R 338.2723
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R 338.2724
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R 338.2731
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Source: 1997 AACS.

R 338.2746
Source: 1997 AACS.

R 338.2747
Source: 1997 AACS.

R 338.2748
Source: 1997 AACS.

R 338.2749
Source: 1997 AACS.

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R 338.2750
Source: 1997 AACS.

R 338.2751
Source: 1997 AACS.

R 338.2752
Source: 1997 AACS.

R 338.2753
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R 338.2754
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R 338.2756
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R 338.2759
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R 338.2760
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R 338.2761
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R 338.2762
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R 338.2764
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R 338.2765
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R 338.2766
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R 338.2767
Source: 1997 AACS.

R 338.2768
Source: 1997 AACS.

R 338.2769

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Source: 1997 AACCS.

R 338.2770

Source: 1997 AACCS.

R 338.2771

Source: 1997 AACCS.

R 338.2772

Source: 1997 AACCS.

R 338.2773

Source: 1997 AACCS.

R 338.2774

Source: 1997 AACCS.

R 338.2775

Source: 1997 AACCS.

R 338.2776

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R 338.2777

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R 338.2778

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R 338.2779

Source: 1997 AACCS.

R 338.2780

Source: 1997 AACCS.

R 338.2781

Source: 1997 AACCS.

R 338.2782

Source: 1997 AACCS.

R 338.2783

Source: 1997 AACCS.

R 338.2784

Source: 1997 AACCS.

R 338.2785

Source: 1997 AACCS.

R 338.2786

Source: 1997 AACCS.

NURSING HOME ADMINISTRATORS

R 338.2801

Source: 1997 AACCS.

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R 338.2802
Source: 1997 AACs.

R 338.2803
Source: 1997 AACs.

R 338.2804
Source: 1997 AACs.

R 338.2805
Source: 1997 AACs.

R 338.2806
Source: 1997 AACs.

R 338.2807
Source: 1997 AACs.

R 338.2808
Source: 1997 AACs.

R 338.2809
Source: 1997 AACs.

R 338.2810
Source: 1997 AACs.

R 338.2811
Source: 1997 AACs.

R 338.2812
Source: 1997 AACs.

R 338.2813
Source: 1997 AACs.

R 338.2814
Source: 1997 AACs.

R 338.2815
Source: 1997 AACs.

R 338.2816
Source: 1997 AACs.

R 338.2817
Source: 1997 AACs.

R 338.2818
Source: 1997 AACs.

R 338.2819
Source: 1997 AACs.

NURSING HOME ADMINISTRATORS—CONTINUING EDUCATION

R 338.2841
Source: 1997 AACs.

Annual Administrative Code Supplement
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R 338.2842
Source: 1997 AACS.

R 338.2843
Source: 1997 AACS.

R 338.2844
Source: 1997 AACS.

R 338.2845
Source: 1997 AACS.

R 338.2846
Source: 1997 AACS.

R 338.2847
Source: 1997 AACS.

R 338.2848
Source: 1997 AACS.

R 338.2849
Source: 1997 AACS.

DEPARTMENT OF COMMUNITY HEALTH

DIRECTOR'S OFFICE

SOCIAL WORK - GENERAL RULES

R 338.2901
Source: 2005 AACS.

R 338.2902
Source: 1997 AACS.

R 338.2903
Source: 1997 AACS.

R 338.2904
Source: 1997 AACS.

R 338.2905
Source: 2003 AACS.

R 338.2906
Source: 2005 AACS.

R 338.2906a
Source: 2005 AACS.

R 338.2907
Source: 1997 AACS.

R 338.2907a
Source: 2005 AACS.

R 338.2907b

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Source: 2005 AACS.

R 338.2908

Source: 2005 AACS.

R 338.2908a

Source: 2003 AACS.

R 338.2908b

Source: 2005 AACS.

R 338.2908c

Source: 2005 AACS.

R 338.2908d

Source: 2005 AACS.

R 338.2908e

Source: 2005 AACS.

R 338.2908f

Source: 2005 AACS.

R 338.2908g

Source: 2005 AACS.

R 338.2908h

Source: 2005 AACS.

R 338.2908i

Source: 2005 AACS.

R 338.2908j

Source: 2005 AACS.

R 338.2908k

Source: 2005 AACS.

R 338.2908l

Source: 2005 AACS.

R 338.2908m

Source: 2005 AACS.

R 338. 2908n

Source: 2005 AACS.

R 338.2908o

Source: 2005 AACS.

R 338.2909

Source: 2005 AACS.

R 338.2910

Source: 2005 AACS.

R 338.2911

Source: 1997 AACS.

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R 338.2912
Source: 1997 AACS.

R 338.2913
Source: 1997 AACS.

R 338.2914
Source: 1997 AACS.

R 338.2915
Source: 1997 AACS.

BOARD OF PHARMACY - RADIOPHARMACEUTICALS

R 338.3001
Source: 1979 AC.

R 338.3002
Source: 1979 AC.

R 338.3003
Source: 1979 AC.

R 338.3004
Source: 1979 AC.

R 338.3005
Source: 1979 AC.

R 338.3006
Source: 1979 AC.

R 338.3007
Source: 1979 AC.

PHARMACY - PUBLIC PARTICIPATION AT OPEN BOARD MEETINGS

R 338.3031
Source: 1979 AC.

PHARMACY—CONTINUING EDUCATION

R 338.3041
Source: 2007 AACS.

R 338.3042
Source: 1979 AC.

R 338.3043
Source: 2007 AACS.

R 338.3044
Source: 2007 AACS.

R 338.3045
Source: 1979 AC.

CENTRALIZED PRESCRIPTION PROCESSING PHARMACIES

PART 1. GENERAL PROVISIONS

R 338.3051 Definitions.

Rule 1. (1) As used in parts 1 and 2 of the centralized prescription processing rules, R 338.3051 to R 338.3054:

(a) “Centralized prescription processing center” means a pharmacy operated under the direction of a pharmacist that processes information related to the practice of pharmacy and engages in centralized prescription processing.

(b) “Centralized prescription processing” is the term defined in section 17753(3) of the code.

(c) “Code” means 1978 PA 368, MCL 333.1101 et seq.

(d) “Deliver” as used in this part means to issue a prescription drug, including a controlled substance, directly to a patient or a patient’s agent by the lawful order of a practitioner. A centralized prescription processing center that provides a prescription product to another pharmacy for subsequent issuance to a patient or a patient’s agent has not met the definition of deliver as defined in this subrule.

(e) “Delivering pharmacist” means a pharmacist who is responsible for delivering a prescription directly to a patient or a patient’s agent.

(f) “Delivering pharmacy” means the pharmacy that delivers the filled or refilled prescription to the patient or the patient’s authorized representative. The delivering pharmacy shall be either the originating pharmacy or the centralized prescription processing center.

(g) “Originating pharmacy” means a pharmacy that initially receives a patient’s or a prescribing practitioner’s request to fill or refill a prescription.

(2) The terms defined in the code have the same meanings when used in these rules.

History: 2008 MR 18, Eff. Sept. 25, 2008.

R 338.3052 Centralized prescription processing rules; prevail over other pharmacy rules.

Rule 2. To the extent that any rule in parts 1 and 2 of the centralized prescription processing rules conflicts with other board of pharmacy rules, the provisions in parts 1 and 2 of the centralized prescription processing rules shall prevail.

History: 2008 MR 18, Eff. Sept. 25, 2008.

R 338.3053 Centralized prescription processing; requirements.

Rule 3. (1) In addition to complying with the requirements of section 17753 of the code, a pharmacy may perform centralized prescription processing services or outsource these services to another pharmacy. Pharmacies that perform or outsource prescription processing services shall meet all of the following requirements:

(a) Be licensed by the Michigan board of pharmacy.

(b) Share sufficient patient and drug information to minimize the possibility of an adverse drug event.

(c) Maintain prescription information or an equivalent record, as prescribed in section 17752(1) of the code, and the records required in R 338.3054 of this part, for 5 years. A centralized prescription processing center and an originating pharmacy shall ensure that the information is readily retrievable within 48 hours after the board’s agent makes a request for the information. If the records are maintained in a digital format, a printed copy shall be made available immediately to the board’s agent upon request.

(2) A pharmacy engaging in centralized prescription processing shall be responsible for each function of the prescription’s processing performed by that pharmacy.

(3) A delivering pharmacist shall be responsible for complying with R 338.490(4) regarding patient counseling.

(4) The prescription label for a prescription that was filled by a centralized prescription processing center shall identify each pharmacy that was involved in preparing and delivering a prescription. A centralized prescription processing center may be identified on a prescription label by use of a unique identifier that is recognized by the delivering pharmacist. As used in this subrule, “unique identifier” means a unique combination of letters, numbers, or symbols that allows the delivering pharmacy to identify the specific centralized prescription processing center involved in the processing of the prescription. A centralized prescription processing center shall create and maintain a unique identifier and shall communicate the unique identifier to all pharmacies that use its services.

(5) A prescription that was not delivered to a patient may be transferred back to the pharmacy that filled the prescription, provided that the transfer records are maintained. A centralized prescription processing center and an originating pharmacy shall establish procedures for the disposition of prescription medication that was not delivered to patients. This medication may be returned to stock and may be re-delivered without constituting a violation of R 338.472(1).

(6) A pharmacy that performs or contracts for centralized prescription services shall comply with the procedures described in its policies and procedures manual, as provided in section 17753(2) of the code.

History: 2008 MR 18, Eff. Sept. 25, 2008.

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R 338.3054 Records maintenance; requirements for centralized prescription processing pharmacies.

Rule 4. (1) An originating pharmacy shall maintain records that indicate all of the following:

- (a) The date the request for centralized prescription processing services was transmitted to a centralized prescription processing center.
 - (b) The method of transmittal.
 - (c) The identification of the pharmacist responsible for the transmission.
 - (d) The name and address of the centralized prescription processing center to which the request for centralized prescription processing services was transmitted.
 - (e) The date the delivering pharmacy received the filled prescription from the centralized prescription processing center.
 - (f) The name of the pharmacy employee who accepted the delivery of a filled prescription from a centralized prescription processing center.
 - (g) The identification of the pharmacist who was responsible for delivering the prescription to the patient or the patient's agent.
- (2) A centralized prescription processing center that receives the transmitted prescription shall maintain records that indicate all of the following, as applicable to its function:
- (a) The date the request for centralized prescription processing services was received from the originating pharmacy.
 - (b) The name and address of the originating pharmacy from which the request for centralized prescription processing services was received.
 - (c) The date the prescription was processed, verified, or filled.
 - (d) The identification of any pharmacist who was responsible for processing the prescription and shipping a filled prescription to an originating pharmacy or delivering a filled prescription to a patient or a patient's agent.
 - (e) The date the filled prescription was shipped to the originating pharmacy or was shipped or delivered to the patient or the patient's agent.
 - (f) If shipped, the name and address of the patient to whom the filled prescription was shipped.
 - (g) The method of delivery, such as private, common, or contract carrier, if shipped.
- (3) If a prescription was not delivered to a patient and was transferred back to the pharmacy that filled the prescription, that pharmacy shall maintain the transfer records.

History: 2008 MR 18, Eff. Sept. 25, 2008.

PART 2 . CONTROLLED SUBSTANCES PRESCRIPTIONS

R 338.3055 Schedule 2, 3, 4, or 5 controlled substances prescriptions; requirements for centralized prescription processing pharmacies.

Rule 5. (1) In addition to complying with the requirements of Part 1 of these rules, a pharmacy that performs or contracts for centralized prescription processing services shall comply with this rule when processing a prescription for a schedule 2, 3, 4, or 5 controlled substance.

- (2) Prescriptions for controlled substances may be transmitted electronically, including by facsimile, from an originating pharmacy to a centralized prescription processing center.
- (3) An originating pharmacy that transmits prescription information for a controlled substance to a centralized prescription processing center shall comply with all of the following:
 - (a) Ensure that the words "CENTRAL FILL" are on the face of the original prescription and record all of the following information: the name, address, and the federal drug enforcement administration (dea) registration number of the centralized prescription processing center to which the prescription had been transmitted; the name of the pharmacist at the originating pharmacy who transmitted the prescription; and, the date of transmittal.
 - (b) Ensure that all information that is required to be on a prescription pursuant to the provisions of 21 C.F.R. §1306.05 and R 338.3161 is transmitted to the centralized prescription processing center either on the face of the original prescription or in the electronic transmission of prescription information.
 - (c) Indicate in the prescription information that is transmitted, the number of refills already dispensed and the number of refills remaining.
 - (d) Maintain the original prescription for a period of 5 years from the date the prescription was filled.
- (4) In addition to complying with the requirements in R 338.3053 (2)(a), (b), (c), (d), (e), (f) and (g), a centralized prescription processing center that receives the transmitted prescription shall comply with both of the following:
 - (a) Maintain records for 5 years.
 - (b) Keep a copy of the prescription if it was sent via facsimile or an electronic record of all the information transmitted by the originating pharmacy, including the name, address, and dea registration number of the originating pharmacy that transmitted the prescription.

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History: 2008 MR 18, Eff. Sept. 25, 2008.

R 338.3056 Reporting to the electronic system for monitoring controlled substances.

Rule 6. As used in this part, the pharmacy that uses its stock to fill a prescription for a controlled substance shall be the pharmacy responsible to report to the department or the department's contractor the information required in R 338.3162b for each prescription of a controlled substance.

History: 2008 MR 18, Eff. Sept. 25, 2008.

CONTROLLED SUBSTANCES

PART 1. GENERAL PROVISIONS

R 338.3101

Source: 2004 AACS.

R 338.3102

Source: 2007 AACS.

R 338.3104

Source: 2002 AACS.

R 338.3108

Source: 1992 AACS.

R 338.3109

Source: 1979 AC.

PART 2. SCHEDULES

R 338.3111

Source: 1995 AACS.

R 338.3112

Source: 1979 AC.

R 338.3113

Source: 2002 AACS.

R 338.3113a

Source: 2002 AACS.

R 338.3114

Source: 1986 AACS.

R 338.3114a

Source: 2002 AACS.

R 338.3116

Source: 1994 AACS.

R 338.3117

Source: 2002 AACS.

R 338.3118

Source: 1992 AACS.

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R 338.3119
Source: 1992 AACS.

R 338.3119a
Source: 2002 AACS.

R 338.3119b
Source: 1994 AACS.

R 338.3120
Source: 2007 AACS.

R 338.3121
Source: 1979 AC.

R 338.3121a
Source: 2002 AACS.

R 338.3122
Source: 1994 AACS.

R 338.3123
Source: 2007 AACS.

R 338.3125
Source: 2007 AACS.

R 338.3126
Source: 2002 AACS.

R 338.3127
Source: 2002 AACS.

R 338.3129
Source: 1992 AACS.

PART 3. LICENSES

R 338.3131
Source: 1997 AACS.

R 338.3132
Source: 2007 AACS.

R 338.3133
Source: 2002 AACS.

R 338.3134
Source: 2002 AACS.

R 338.3136
Source: 2002 AACS.

R 338.3137
Source: 1992 AACS.

R 338.3138
Source: 2002 AACS.

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R 338.3139
Source: 2002 AACS.

PART 4. SECURITY

R 338.3141
Source: 2002 AACS.

R 338.3143
Source: 2002 AACS.

R 338.3145
Source: 2002 AACS.

PART 5. RECORDS

R 338.3151
Source: 2002 AACS.

R 338.3152
Source: 2002 AACS.

R 338.3153
Source: 2002 AACS.

R 338.3153a
Source: 2002 AACS.

R 338.3154
Source: 2007 AACS.

PART 6. DISPENSING AND ADMINISTERING CONTROLLED SUBSTANCE PRESCRIPTIONS

R 338.3161
Source: 2007 AACS.

R 338.3162
Source: 2007 AACS.

R 338.3162a
Source: 2002 AACS.

R 338.3162b
Source: 2007 AACS.

R 338.3162c
Source: 2007 AACS.

R 338.3162d
Source: 2007 AACS.

R 338.3162e
Source: 2002 AACS.

R 338.3164
Source: 2002 AACS.

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R 338.3165
Source: 2002 AACS.

R 338.3166
Source: 2002 AACS.

R 338.3167
Source: 2002 AACS.

R 338.3168
Source: 2002 AACS.

R 338.3169
Source: 2002 AACS.

R 338.3170
Source: 2002 AACS.

PART 7. DISTRIBUTIONS

R 338.3181
Source: 1992 AACS.

R 338.3182
Source: 1992 AACS.

R 338.3183
Source: 1992 AACS.

R 338.3185
Source: 1992 AACS.

R 338.3186
Source: 1992 AACS.

PART 8. ADMINISTRATIVE AND DISCIPLINARY PROCEEDINGS

R 338.3191
Source: 1997 AACS.

R 338.3192
Source: 1997 AACS.

R 338.3193
Source: 1997 AACS.

R 338.3194
Source: 1997 AACS.

R 338.3195
Source: 1997 AACS.

R 338.3196
Source: 1997 AACS.

R 338.3197
Source: 1997 AACS.

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R 338.3198
Source: 1997 AACS.

R 338.3198a
Source: 1997 AACS.

R 338.3199
Source: 1997 AACS.

R 338.3199a
Source: 1997 AACS.

R 338.3199b
Source: 1997 AACS.

R 338.3199c
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R 338.3199d
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R 338.3199f
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R 338.3199g
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R 338.3199h
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R 338.3199i
Source: 1997 AACS.

R 338.3199j
Source: 1997 AACS.

R 338.3199k
Source: 1997 AACS.

R 338.3199l
Source: 1997 AACS.

R 338.3199m
Source: 1997 AACS.

R 338.3199n
Source: 1997 AACS.

R 338.3199o
Source: 1997 AACS.

R 338.3199p
Source: 1997 AACS.

R 338.3199q
Source: 1997 AACS.

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MOBILE HOME AND LAND RESOURCES DIVISION

LAND SALES

PART 1. GENERAL PROVISIONS

R 338.3201
Source: 1990 AACS.

R 338.3202
Source: 1979 AC.

R 338.3204
Source: 1979 AC.

R 338.3206
Source: 1979 AC.

R 338.3208
Source: 1990 AACS.

PART 3. REGISTRATION OF NONEXEMPT SUBDIVIDED LANDS

R 338.3218
Source: 1979 AC.

R 338.3219
Source: 1979 AC.

R 338.3220
Source: 1979 AC.

R 338.3221
Source: 1979 AC.

R 338.3231
Source: 1979 AC.

R 338.3232
Source: 1979 AC.

R 338.3233
Source: 1979 AC.

R 338.3234
Source: 1979 AC.

R 338.3235
Source: 1979 AC.

R 338.3236
Source: 1979 AC.

R 338.3238
Source: 1979 AC.

R 338.3239
Source: 1990 AACS.

PART 4. PROTECTION OF PURCHASERS

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R 338.3241
Source: 1979 AC.

R 338.3242
Source: 1979 AC.

R 338.3243
Source: 1979 AC.

R 338.3251
Source: 1979 AC.

R 338.3252
Source: 1979 AC.

R 338.3253
Source: 1979 AC.

R 338.3254
Source 1979 AC.

R 338.3255
Source: 1979 AC.

R 338.3256
Source: 1979 AC.

R 338.3257
Source: 1979 AC.

R 338.3258
Source: 1979 AC.

R 338.3259
Source: 1979 AC.

PART 5. ADVERTISING AND SALES PROMOTIONS

R 338.3261
Source: 1979 AC.

R 338.3262
Source: 1979 AC.

R 338.3263
Source: 1979 AC.

R 338.3264
Source: 1979 AC.

R 338.3265
Source: 1979 AC.

R 338.3266
Source: 1979 AC.

R 338.3267
Source: 1979 AC.

R 338.3268
Source: 1979 AC.

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R 338.3269
Source: 1979 AC.

R 338.3270
Source: 1979 AC.

R 338.3281
Source: 1979 AC.

R 338.3282
Source: 1979 AC.

R 338.3283
Source: 1979 AC.

R 338.3284
Source: 1979 AC.

R 338.3291
Source: 1979 AC.

R 338.3292
Source: 1979 AC.

R 338.3295
Source: 1979 AC.

R 338.3301
Source: 1979 AC.

R 338.3302
Source: 1979 AC.

R 338.3303
Source: 1979 AC.

R 338.3304
Source: 1979 AC.

R 338.3307
Source: 1979 AC.

R 338.3311
Source: 1979 AC.

R 338.3312
Source: 1979 AC.

R 338.3313
Source: 1979 AC.

R 338.3314
Source: 1979 AC.

R 338.3317
Source: 1979 AC.

R 338.3321
Source: 1979 AC.

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R 338.3324
Source: 1979 AC.

R 338.3327
Source: 1979 AC.

R 338.3331
Source: 1979 AC.

R 338.3332
Source: 1979 AC.

R 338.3335
Source: 1979 AC.

PART 8. TAXES AND ASSESSMENTS

R 338.3341
Source: 1979 AC.

R 338.3345
Source: 1979 AC.

PART 15. DECLARATORY RULINGS; INVESTIGATIONS; HEARINGS

R 338.3351
Source: 1979 AC.

R 338.3355
Source: 1979 AC.

R 338.3356
Source: 1979 AC.

R 338.3461
Source: 1990 AACS.

R 338.3364
Source: 1979 AC.

R 338.3365
Source: 1979 AC.

R 338.3366
Source: 1979 AC.

DIRECTOR'S OFFICE

PODIATRY

PART 1. GENERAL PROVISIONS

R 338.3601
Source: 1997 AACS.

R 338.3602
Source: 1997 AACS.

R 338.3603
Source: 1997 AACS.

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R 338.3604
Source: 1997 AACS.

R 338.3605
Source: 1997 AACS.

R 338.3606
Source: 1997 AACS.

PART 2. CRITERIA FOR PODIATRIC INTERNSHIP PROGRAMS

R 338.3611
Source: 1997 AACS.

R 338.3612
Source: 1997 AACS.

R 338.3613
Source: 1997 AACS.

R 338.3614
Source: 1997 AACS.

R 338.3615
Source: 1997 AACS.

R 338.3616
Source: 1997 AACS.

R 338.3617
Source: 1997 AACS.

R 338.3618
Source: 1997 AACS.

R 338.3619
Source: 1997 AACS.

PART 3. CRITERIA FOR PODIATRIC PRECEPTORSHIP PROGRAMS

R 338.3621
Source: 1997 AACS.

R 338.3622
Source: 1997 AACS.

R 338.3623
Source: 1997 AACS.

R 338.3624
Source: 1997 AACS.

R 338.3625
Source: 1997 AACS.

R 338.3626
Source: 1997 AACS.

CONTINUING EDUCATION

R 338.3701
Source: 1979 AC.

R 338.3702
Source: 1979 AC.

R 338.3703
Source: 1979 AC.

R 338.3704
Source: 1979 AC.

R 338.3705
Source: 1979 AC.

R 338.3706
Source: 1979 AC.

R 338.3707
Source: 1979 AC.

R 338.3708
Source: 1979 AC.

R 338.3709
Source: 1979 AC.

R 338.3710
Source: 1979 AC.

R 338.3711
Source: 1979 AC.

R 338.3712
Source: 1979 AC.

BOARD OF VETERINARY MEDICINE

PUBLIC CONDUCT AT MEETINGS

R 338.3801
Source: 1979 AC.

ADMINISTRATIVE HEARINGS—VETERINARY MEDICINE

R 338.3821
Source: 1997 AACS.

R 338.3822
Source: 1997 AACS.

R 338.3823
Source: 1997 AACS.

R 338.3824
Source: 1997 AACS.

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R 338.3825
Source: 1997 AACS.

R 338.3826
Source: 1997 AACS.

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R 338.3840
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R 338.3841
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R 338.3842
Source: 1997 AACS.

R 338.3843
Source: 1997 AACS.

R 338.3844
Source: 1997 AACS.

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R 338.3845

Source: 1997 AACCS.

R 338.3846

Source: 1997 AACCS.

R 338.3847

Source: 1997 AACCS.

R 338.3848

Source: 1997 AACCS.

SANITARIANS—REGISTRATION

R 338.3901 Definitions.

Rule 1. As used in these rules:

- (a) "Advisory committee" means the advisory committee on sanitarians.
- (b) "Code" means 1978 PA 368, MCL 333.1101.
- (c) "Completed an environmental health educational program acceptable to the advisory committee" means that an applicant has completed either of the following:
 - (i) An undergraduate or graduate environmental health educational program approved by the advisory committee pursuant to the provisions of R 338.3903(1) or (2).
 - (ii) An undergraduate or graduate program at an institution approved by the advisory committee pursuant to R 338.3903(3) or (4) that includes both of the following:
 - (A) The equivalent of 15 semester hours in the following 3 categories with the equivalent of at least 3 semester hours in each category:
 - (1) Chemistry: inorganic or organic.
 - (2) Physics.
 - (3) Biology: zoology, human physiology, or ecology.
 - (B) The equivalent of 40 semester hours in at least 2 of the following areas:
 - (1) Microbiology: general, applied, environmental, immunology, or virology.
 - (2) Biostatistics.
 - (3) Epidemiology.
 - (4) Public health organization and administration.
 - (5) Environmental health: water and waste water, food protection, air quality, vector control, housing, solid/hazardous waste, institutional/occupational health and safety, occupational health, radiation health, industrial hygiene, noise control, soil science, and recreational environmental health.
 - (6) Internship or international study which provides exposure to the applied aspect of environmental health.
 - (7) Technical report writing and risk communication.
- (d) "Department" means the department of community health.

History: 1982 AACCS; 1991 AACCS; 2008 MR 18, Eff. Sept. 25, 2008.

R 338.3902 Registration by examination; requirements.

Rule 2. (1) An applicant for a sanitarian registration by examination shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant to the code, an applicant shall satisfy 1 of the following requirements:

- (a) An applicant shall have been granted a baccalaureate degree in science from an institution that meets the accreditation standards in R 338.3903(3) and (4) and shall have completed an environmental health educational program acceptable to the advisory committee, as defined in R 338.3901(c). An applicant also shall have been employed for not less than 4,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.
- (b) An applicant shall have been granted a master's degree or doctorate in a field related to environmental health practice from an institution that meets the accreditation standards in R 338.3903(2) and (3) and shall have completed an environmental health educational program acceptable to the advisory committee, as defined in R 338.3901(c). An applicant also shall have been employed for not less than 2,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.

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(c) An applicant shall submit proof of successful completion of an educational and experiential training program that is substantially equivalent to that required in subdivision (a) or (b) of this subrule. To determine whether an educational and experiential training program is substantially equivalent, the department shall consider the following factors:

(i) Course syllabi and length of the educational program.

(ii) Accreditation of the educational program.

(iii) Professional experience obtained after completion of the educational program, including, but not limited to, the length of the experience as well as the quality and comprehensiveness of the experience.

(2) In addition to meeting the requirements of subdivision (a), (b), or (c) of subrule (1) of this rule, an applicant shall complete and pass the registered environmental health specialist/registered sanitarian examination developed by the national environmental health association. A passing score on the examination shall be the passing score established by the national environmental health association.

History: 1982 AACs; 1991 AACs; 2008 MR 18, Eff. Sept. 25, 2008.

R 338.3903 Accreditation standards; adoption by reference.

Rule 3. (1) The advisory committee approves and adopts by reference the standards for accrediting environmental health baccalaureate programs developed and adopted by the national environmental health science and protection accreditation council, effective June 24, 2006, and entitled "Undergraduate Guidelines." The guidelines are available free of charge from The National Environmental Health Science and Protection Accreditation Council, 2632 SE 25th Ave., Suite D, Portland, OR 97202 or from the council's website at <http://ehacoffice.org> at no cost. Copies of the guidelines are available for inspection and distribution at cost from the Michigan Advisory Committee on Sanitarians, Bureau of Health Professions, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The advisory committee shall deem as approved any baccalaureate program in environmental health accredited by the national environmental health science and protection accreditation council as an environmental health educational program.

(2) The advisory committee approves and adopts by reference the standards for accrediting environmental health graduate programs developed and adopted by the national environmental health science and protection accreditation council, effective August 1, 2006, and entitled "Guidelines for Accreditation of Environmental Health Science and Protection Master's Graduate Programs." The guidelines are available free of charge from The National Environmental Health Science and Protection Accreditation Council, 2632 SE 25th Ave., Suite D, Portland, OR 97202 or from the council's website at <http://ehacoffice.org> at no cost. Copies of the guidelines are available for inspection and distribution at cost from the Michigan Advisory Committee on Sanitarians, Bureau of Health Professions, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(3) The advisory committee adopts by reference the recognition standards and criteria of the council for higher education accreditation (chea), effective January 2006, and the procedures and criteria for recognizing postsecondary accrediting agencies of the U.S. department of education, effective July 1, 2000, as contained in Title 34, Part 602 of the Code of Federal Regulations. Copies of the standards and criteria of the council for higher education accreditation and the U.S. department of education are available for inspection and distribution at cost from the Michigan Advisory Committee on Sanitarians, Bureau of Health Professions, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The chea recognition standards also may be obtained from the Council for Higher Education Accreditation, One Dupont Circle NW, Suite 510, Washington, DC 20036-1110, or from the council's website at <http://www.chea.org> at no cost. The federal recognition criteria may be obtained from the U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20006 or from the department's website at <http://www.ed.gov> at no cost.

(4) The advisory committee adopts by reference the following postsecondary accrediting organizations, which may be obtained from the individual accrediting organization at the identified cost. Copies of these standards also are available for inspection and distribution at cost from the Michigan Advisory Committee on Sanitarians, Bureau of Health Professions, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909:

(a) The standards of the Middle States Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, in the document entitled "Characteristics of Excellence in Higher Education: Eligibility Requirements and Standards for Accreditation," 2004 edition, which is available free of charge on the association's website at <http://www.msche.org> or for purchase at a cost of \$7.40 as of the time of adoption of these rules.

(b) The standards of the New England Association of Schools and Colleges, Inc., Commission on Institutions of Higher Education, 209 Burlington Road, Bedford, MA 07130, in the document entitled "Standards for Accreditation," 2005 edition, which is available free of charge on the association's website at <http://www.neasc.org>.

(c) The standards of the North Central Association of Colleges and Schools, The Higher Learning Commission, 30 North LaSalle Street, Suite 2400, Chicago, IL 60602, in the document entitled "Handbook of Accreditation," third edition, which is available for purchase through the association's website at <http://www.ncahigherlearningcommission.org> at a cost of \$30.00 as of the time of adoption of these rules.

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(d) The standards of the Northwest Association of Schools, Colleges, and Universities, the Commission on Colleges and Universities, 8060 165th Avenue NE, Suite 100, Redmond, WA 98052, in the document entitled "Accreditation Handbook," 2003 edition, which is available for purchase through the association's website at <http://www.nwccu.org> at a cost of \$20.00 as of the time of adoption of these rules.

(e) The standards of the Southern Association of Colleges and Schools, Commission on Colleges, 1866 Southern Lane, Decatur, GA 30033, in the document entitled "Principles of Accreditation: Foundation for Quality Enhancement", copyright 2004, which is available free of charge on the association's website at <http://www.sacscoc.org> or for purchase at a cost of \$12.00 for members and \$24.00 for nonmembers as of the time of adoption of these rules.

(f) The standards of the Western Association of Schools and Colleges, the Accrediting Commission for Senior Colleges and Universities, 985 Atlantic Avenue, Suite 100, Alameda, CA 94501, in the document entitled "Handbook of Accreditation," January 2001, which is available free of charge on the commission's website at <http://www.wascweb.org> or for purchase at a cost of \$15.00 for member institutions and \$20.00 for nonmember institutions as of the time of adoption of these rules.

(g) The standards of the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges, 10 Commercial Blvd., Suite 204, Novato, CA 94949, in the document entitled "Accreditation Reference Book," August 2005, which is available free of charge on the commission's website at <http://www.accjc.org>.

History:1982 AACCS; 1991 AACCS; 2008 MR 18, Eff. Sept. 25, 2008.

R 338.3904

Source: 1997 AACCS.

R 338.3905 Examination; eligibility requirements.

Rule 5. (1) As of January 1, 2005, the department adopts the registered environmental health specialist/registered sanitarian examination developed by the national environmental health association. A passing score on the examination shall be the passing score established by the national environmental health association.

(2) To be eligible for the examination, an applicant shall meet the requirements in either of the following:

(a) An applicant shall have been granted a baccalaureate degree in science that meets the criteria in R 338.3901(c)(i) or (c)(ii)(A) and (B) from an institution that meets the accreditation standards in R 338.3903(1), (3) and (4).An applicant also shall have been employed for not less than 4,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.

(b) An applicant shall have been granted a master's or doctorate degree in a field related to environmental health practice that meets criteria in R 338.3901(c)(i) or (c)(ii)(A) and (B) from an institution that meets the accreditation standards in R 338.3903(2), (3) and (4).An applicant also shall have been employed for not less than 2,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.

History:1982 AACCS; 1991 AACCS; 2008 MR 18, Eff. Sept. 25, 2008.

R 338.3906 Registration by endorsement.

Rule 6. (1) An applicant for a Michigan registration by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the other requirements of the code and administrative rules promulgated pursuant to the code, an applicant shall satisfy the educational and experiential requirements, as specified in R 338.3902(1)(a), (1)(b), or (1)(c) and satisfy the requirements of this rule.

(2) An applicant who was first licensed in another state will be presumed to have met the requirements of sections 16186(1)(a) and (b) of the code, if he or she meets all of the following requirements:

(a) Verifies that he or she has been registered or licensed for a minimum of 3 of the last 4 years before the date of filing an application for registration as a sanitarian in Michigan.An applicant may submit either of the following as verification:

(i) Documentation of having been employed in another state as a registered or licensed sanitarian for the period of time specified under subdivision (a) of this subrule.

(ii)Documentation on the status of a registration or a license from all other states in which the applicant currently holds or has ever held registration or licensure. This shall include showing proof, on a form supplied by the department, of having no record of final or pending disciplinary action in all other states where the applicant currently holds or has ever held a registration or license.

(b) Passed the registered environmental health specialist/registered sanitarian examination developed by the national environmental health association with a passing score recommended by the national environmental health association.An applicant who completed the registration of sanitarians environmental health proficiency examination developed by the professional examination service before January 1, 2005 shall have passed the examination with a converted score of not less than 75.

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History: 1982 AACS; 1991 AACS; 2008 MR 18, Eff. Sept. 25, 2008.

R 338.3906a Application for sanitarian re-registration; requirements.

Rule 6a. An applicant for re-registration as a sanitarian shall comply with either of the following:

- (a) If the registration was lapsed for less than 3 years, the applicant shall submit a completed application on a form provided by the department together with the requisite fee.
- (b) If the registration was lapsed for 3 or more years, the applicant shall do all of the following:
 - (i) Submit a completed application on a form provided by the department together with the requisite fee.
 - (ii) Retake the registered environmental health specialist/registered sanitarian examination developed by the national environmental health association.
 - (iii) Pass the examination with a passing score recommended by the national environmental health association.

History: 2008 MR 18, Eff. Sept. 25, 2008.

R 338.3907

Source: 1997 AACS.

R 338.3908 Assessment of fines.

Rule 8. When a fine has been designated as an available sanction for a violation of section 16221 of the code by section 16226 of the code, in the course of assessing a fine, a board shall take into consideration the following factors without limitation:

- (a) The extent to which the registrant obtained financial benefit from any conduct comprising part of the violation found by the board.
- (b) The willfulness of the conduct found to be part of the violation determined by the board.
- (c) The public harm, actual or potential, caused by the violation found by the board.
- (d) The cost incurred in investigating and proceeding against the licensee.

History: 1982 AACS; 2008 MR 18, Eff. Sept. 25, 2008.

R 338.3909

Source: 1982 AACS.

R 338.3910 Prohibited conduct.

Rule 10. (1) In addition to the conflict of interest provisions of section 18413(1) of the code, a registered sanitarian shall not engage in conduct prohibited by this rule, which includes, but is not limited to, the following acts or omissions:

- (a) Refusing to provide professional service to a person because of the person's race, creed, color, national origin, age, sex, sexual orientation, disability, or any basis proscribed by law.
- (b) Engaging in harassment or unfair discrimination based on a person's race, creed, color, national origin, age, sex, sexual orientation, disability, or any basis proscribed by law.
- (c) Involvement in a conflict of interest that interferes with the exercise of professional discretion or makes a client's interests secondary.
- (d) Taking on a professional role when personal, scientific, professional, legal, financial, or other relationships could impair the exercise of professional discretion or make the interests of a client or interest group secondary to those of the registered sanitarian.
- (e) Taking advantage of any professional relationship or exploiting others to further the registered sanitarian's personal, religious, political and/or business/financial interests.
- (f) Involvement in a professional relationship with a current or former client and/or his or her immediate family in which there is a risk of exploitation or harm to the client.
- (g) Soliciting or engaging in a sexual relationship with a current client that results in a conflict of interest.
- (h) Failing to inform a client or interest group of his or her obligations and options in regard to environmental and public health issues.
- (i) Failing to advise a client or interest group of applicable standards and statutes when rendering advice as a registered sanitarian.
- (j) Offering professional consultation or taking professional action in a manner that will endanger the public health or the environment.

(2) As used in subdivisions (c), (d), (f), (g), (h), and (i) of subrule (1), "client" means an individual for whom sanitarian services are rendered by a sanitarian registered under Part 184 of the Public Health Code and covered by these rules.

History: 2008 MR 18, Eff. Sept. 25, 2008.

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R 338.4516
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R 338.4517
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R 338.4518
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R 338.4519
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R 338.4520
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R 338.4521
Source: 1997 AACS.

R 338.4522
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R 338.4523
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R 338.4524
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R 338.4537
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R 338.4538
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R 338.4539
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Source: 1997 AACS.

R 338.4541

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R 338.4542

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R 338.4543

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R 338.4544

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R 338.4550

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R 338.4551

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R 338.4552

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R 338.4553

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R 338.4554

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R 338.4555

Source: 1997 AACS.

PART 6. ADMINISTRATIVE HEARINGS

R 338.4601

Source: 1997 AACS.

R 338.4605

Source: 1997 AACS.

R 338.4606

Source: 1997 AACS.

R 338.4607

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Source: 1997 AACS.

R 338.4608

Source: 1997 AACS.

R 338.4609

Source: 1997 AACS.

R 338.4610

Source: 1997 AACS.

R 338.4611

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R 338.4612

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R 338.4613

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R 338.4614

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R 338.4624

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R 338.4625

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R 338.4626

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R 338.4627
Source: 1997 AACCS.

R 338.4628
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R 338.4629
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R 338.4630
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R 338.4631
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R 338.4632
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R 338.4638
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R 338.4639
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R 338.4640
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R 338.4641
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R 338.4643
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R 338.4644
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R 338.4645
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R 338.4646

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Source: 1997 AACS.

R 338.4647

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R 338.4648

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R 338.4649

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R 338.4650

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R 338.4651

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R 338.4663

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R 338.4664

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R 338.4665

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R 338.4666
Source: 1997 AACS.

R 338.4667
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R 338.4668
Source: 1997 AACS.

R 338.4669
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R 338.4670
Source: 1997 AACS.

R 338.4671
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R 338.4672
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R 338.4673
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R 338.4674
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R 338.4675
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R 338.4676
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R 338.4677
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R 338.4678
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R 338.4679
Source: 1997 AACS.

R 338.4680
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R 338.4681
Source: 1997 AACS.

R 338.4682
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R 338.4683
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R 338.4684
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R 338.4685

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Source: 1997 AACS.

R 338.4686

Source: 1997 AACS.

R 338.4687

Source: 1997 AACS.

R 338.4688

Source: 1997 AACS.

R 338.4689

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R 338.4690

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R 338.4691

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R 338.4692

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R 338.4695

Source: 1997 AACS.

R 338.4696

Source: 1997 AACS.

R 338.4697

Source: 1997 AACS.

R 338.4698

Source: 1997 AACS.

VETERINARY MEDICINE

PART 1. GENERAL PROVISIONS

R 338.4901

Source: 1981 AACS.

R 338.4902

Source: 1990 AACS.

R 338.4903

Source: 1990 AACS.

R 338.4904

Source: 1997 AACS.

R 338.4905

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Source: 1997 AACS.

R 338.4906

Source: 1990 AACS.

R 338.4907

Source: 1997 AACS.

R 338.4908

Source: 1990 AACS.

R 338.4909

Source: 1997 AACS.

R 338.4910

Source: 1990 AACS.

R 338.4911

Source: 1990 AACS.

R 338.4912

Source: 1997 AACS.

R 338.4913

Source: 1981 AACS.

R 338.4914

Source: 1990 AACS.

R 338.4914a

Source: 1990 AACS.

R 338.4915

Source: 1990 AACS.

R 338.4916

Source: 1997 AACS.

R 338.4917

Source: 1997 AACS.

R 338.4918

Source: 1990 AACS.

R 338.4919

Source: 1981 AACS.

R 338.4920

Source: 1990 AACS.

VETERINARY TECHNICIAN LICENSURE

R 338.4971

Source: 1981 AACS.

R 338.4972

Source: 1990 AACS.

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R 338.4973
Source: 1990 AACS.

R 338.4974
Source: 1997 AACS.

R 338.4975
Source: 1997 AACS.

R 338.4976
Source: 1990 AACS.

R 338.4977
Source: 1997 AACS.

R 338.4978
Source: 1990 AACS.

R 338.4979
Source: 1997 AACS.

R 338.4980
Source: 1997 AACS.

R 338.4981
Source: 1997 AACS.

R 338.4982
Source: 1990 AACS.

R 338.4983
Source: 1997 AACS.

R 338.4984
Source: 1981 AACS.

ACCOUNTING

PART 1. GENERAL PROVISIONS

R 338.5101
Source: 2007 AACS.

R 338.5102
Source: 2007 AACS.

R 338.5103
Source: 2007 AACS.

R 338.5104
Source: 2007 AACS.

R 338.5105
Source: 2003 AACS.

R 338.5110
Source: 1998-2000 AACS.

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- R 338.5110a**
Source: 2003 AACs.
- R 338.5111**
Source: 1998-2000 AACs.
- R 338.5112**
Source: 1998-2000 AACs.
- R 338.5114**
Source: 2007 AACs.
- R 338.5115**
Source: 1998-2000 AACs.
- R 338.5120**
Source: 1998-2000 AACs.
- R 338.5125**
Source: 1997 AACs.
- R 338.5130**
Source: 1998-2000 AACs.
- R 338.5135**
Source: 1997 AACs.
- R 338.5140**
Source: 2007 AACs.
- R 338.5145**
Source: 2007 AACs.
- R 338.5147**
Source: 1998-2000 AACs.
- R 338.5150**
Source: 1998-2000 AACs.
- R 338.5155**
Source: 1998-2000 AACs.
- R 338.5160**
Source: 1997 AACs.
- R 338.5165**
Source: 1997 AACs.
- R 338.5170**
Source: 1997 AACs.

PART 2. CONTINUING EDUCATION

- R 338.5201**
Source: 1997 AACs.
- R 338.5205**
Source: 1997 AACs.

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- R 338.5210**
Source: 2007 AACS.
- R 338.5211**
Source: 1998-2000 AACS.
- R 338.5215**
Source: 2003 AACS.
- R 338.5216**
Source: 1998-2000 AACS.
- R 338.5217**
Source: 1998-2000 AACS.
- R 338.5218**
Source: 1996 AACS.
- R 338.5220**
Source: 1997 AACS.
- R 338.5221**
Source: 1998-2000 AACS.
- R 338.5225**
Source: 1997 AACS.
- R 338.5230.**
Source: 2003 AACS.
- R 338.5235**
Source: 1997 AACS.
- R 338.5240**
Source: 1998-2000 AACS.
- R 338.5245**
Source: 1997 AACS.
- R 338.5250**
Source: 1997 AACS.
- R 338.5255**
Source: 1998-2000 AACS.
- R 338.5260**
Source: 1986 AACS.
- R 338.5265**
Source: 1997 AACS.
- R 338.5270**
Source: 1986 AACS.
- R 338.5275**
Source: 1998-2000 AACS.
- R 338.5280**

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Source: 1997 AACS.

R 338.5285

Source: 1997 AACS.

PART 3. HEARINGS AND COMPLIANCE CONFERENCES

R 338.5301

Source: 1997 AACS.

R 338.5303

Source: 1997 AACS.

R 338.5304

Source: 1997 AACS.

R 338.5305

Source: 1998-2000 AACS.

R 338.5309

Source: 1997 AACS.

R 338.5311

Source: 1997 AACS.

R 338.5313

Source: 1997 AACS.

R 338.5315

Source: 1997 AACS.

R 338.5317

Source: 1997 AACS.

R 338.5319

Source: 1997 AACS.

R 338.5321

Source: 1997 AACS.

R 338.5323

Source: 1997 AACS.

R 338.5325

Source: 1997 AACS.

R 338.5327

Source: 1997 AACS.

R 338.5329

Source: 1997 AACS.

R 338.5331

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R 338.5333

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R 338.5335
Source: 1997 AACS.

R 338.5337
Source: 1997 AACS.

R 338.5339
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R 338.5341
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R 338.5343
Source: 1997 AACS.

R 338.5345
Source: 1998 - 2000 AACS.

R 338.5347
Source: 1997 AACS.

R 338.5349
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R 338.5351
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PART 4. PROFESSIONAL CONDUCT

R 338.5401
Source: 1998-2000 AACS.

R 338.5405
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R 338.5410
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R 338.5415
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R 338.5420
Source: 1997 AACS.

R 338.5425
Source: 1997 AACS.

R 338.5430
Source: 1998-2000 AACS.

R 338.5435
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R 338.5440
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R 338.5445
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R 338.5446
Source: 1998-2000 AACS.

R 338.5450
Source: 1998-2000 AACS.

R 338.5460
Source: 1998-2000 AACS.

R 338.5465
Source: 1998-2000 AACS.

R 338.5470
Source: 1997 AACS.

R 338.5475
Source: 1998-2000 AACS.

R 338.5480
Source: 1998-2000 AACS.

R 338.5501
Source: 2007 AACS.

R 338.5503
Source: 2007 AACS.

R 338.6001
Source: 2003 AACS.

R 338.6003
Source: 2003 AACS.

PART 3.SANITATION

R 338.6039
Source: 2003 AACS.

PART 4. BARBER COLLEGES

R 338.6045
Source: 2003 AACS.

PHYSICIAN'S ASSISTANTS

PART 1. GENERAL PROVISIONS

R 338.6101
Source: 1990 AACS.

R 338.6102
Source: 1997 AACS.

PART 2. PHYSICIAN'S ASSISTANT PROGRAM APPROVAL

R 338.6201
Source: 1990 AACS.

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R 338.6202
Source: 1997 AACS.

R 338.6203
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R 338.6204
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R 338.6205
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R 338.6206
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R 338.6207
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R 338.6208
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R 338.6209
Source: 1997 AACS.

R 338.6210
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R 338.6211
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PART 3. PHYSICIAN'S ASSISTANT LICENSE

R 338.6301
Source: 1990 AACS.

R 338.6302
Source: 1997 AACS.

R 338.6303
Source: 1997 AACS.

R 338.6304
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R 338.6305
Source: 1990 AACS.

R 338.6306
Source: 1997 AACS.

R 338.6307
Source: 1997 AACS.

R 338.6308
Source: 1990 AACS.

PART 4. ADMINISTRATIVE HEARINGS

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R 338.6401
Source: 1997 AACS.

LICENSE RENEWAL

R 338.7001
Source: 1979 AC.

R 338.7002
Source: 1979 AC.

PHYSICAL THERAPY

R 338.7101
Source: 1991 AACS.

R 338.7102
Source: 1983 AACS.

R 338.7103
Source: 1983 AACS.

R 338.7104
Source: 1998-2000 AACS.

R 338.7105
Source: 1991 AACS.

R 338.7106
Source: 1997 AACS.

R 338.7107
Source: 1995 AACS.

R 338.7107a
Source: 1998-2000 AACS.

R 338.7108
Source: 1991 AACS.

R 338.7109
Source: 1983 AACS.

R 338.7110
Source: 1995 AACS.

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MARRIAGE AND FAMILY THERAPY

R 338.7201
Source: 1998-2000 AACS.

R 338.7203
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R 338.7205
Source: 1998-2000 AACS.

R 338.7207
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R 338.7209
Source: 1998-2000 AACS.

R 338.7211
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R 338.7213
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R 338.7215
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R 338.7217
Source: 1998-2000 AACS.

PODIATRIC MEDICINE AND SURGERY

PART 1. GENERAL PROVISIONS

R 338.8101
Source: 1990 AACS.

R 338.8103
Source: 1990 AACS.

R 338.8104
Source: 1990 AACS.

R 338.8107
Source: 1990 AACS.

R 338.8108
Source: 1990 AACS.

R 338.8109
Source: 1990 AACS.

R 338.8113
Source: 1990 AACS.

R 338.8125
Source: 1997 AACS.

R 338.8145
Source: 1990 AACS.

FORENSIC POLYGRAPH EXAMINERS

R 338.9001
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R 338.9002
Source: 1983 AACS.

R 338.9003
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R 338.9004
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R 338.9005
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R 338.9006
Source: 1983 AACS.

R 338.9007
Source: 1983 AACS.

R 338.9008
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R 338.9009
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R 338.9010
Source: 1983 AACS.

R 338.9011
Source: 1983 AACS.

R 338.9012
Source: 1983 AACS.

R 338.9013
Source: 1983 AACS.

NURSING

PART 1. GENERAL PROVISIONS

R 338.10101
Source: 2003 AACS.

R 338.10102
Source: 2003 AACS.

R 338.10103
Source: 1989 AACS.

R 338.10104
Source: 2003 AACS.

R 338.10199
Source: 1989 AACS.

PART 2. LICENSURE

R 338.10201

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Source: 2003 AACCS.

R 338.10202

Source: 2003 AACCS.

R 338.10203

Source: 1990 AACCS.

R 338.10204

Source: 2003 AACCS.

R 338.10206

Source: 2003 AACCS.

R 338.10299

Source: 1990 AACCS.

PART 3. NURSING EDUCATION PROGRAMS

R 338.10301

Source: 2003 AACCS.

R 338.10302

Source: 1989 AACCS.

R 338.10303

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R 338.10304

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R 338.10305

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R 338.10306

Source: 1989 AACCS.

R 338.10307

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R 338.10308

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R 338.10309

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R 338.10310

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R 338.10311

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R 338.10312

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PART 4. NURSE SPECIALTY CERTIFICATION

R 338.10401

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R 338.10402
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R 338.10403
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R 338.10404
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R 338.10405
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R 338.10406
Source: 1986 AACCS.

PART 6. CONTINUING EDUCATION

R 338.10601
Source: 2003 AACCS.

R 338.10602
Source: 1996 AACCS.

R 338.10603
Source: 2003 AACCS.

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OFFICE OF HEALTH SERVICES

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PART 7. NURSING SCHOLARSHIP PROGRAM

R 338.10701
Source: 1998-2000 AACCS.

R 338.10702
Source: 1998-2000 AACCS.

R 338.10703
Source: 1998-2000 AACCS.

R 338.10704
Source: 1998-2000 AACCS.

R 338.10705
Source: 1998-2000 AACCS.

DENTISTRY

PART 1. GENERAL PROVISIONS

R 338.11101
Source: 2006 AACCS.

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R 338.11103
Source: 1984 AACS.

R 338.11105
Source: 1997 AACS.

R 338.11107
Source: 1984 AACS.

R 338.11109
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R 338.11115
Source: 1989 AACS.

R 338.11117
Source: 1984 AACS.

R 338.11120
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R 338.11121
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R 338.11199
Source: 1984 AACS.

PART 2. LICENSURE

R 338.11201
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R 338.11202
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R 338.11203
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R 338.11205
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R 338.11207
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R 338.11211
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R 338.11215
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R 338.11217
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R 338.11219
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R 338.11221
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R 338.11222
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R 338.11223
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R 338.11225
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R 338.11227
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R 338.11233
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R 338.11235
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R 338.11239
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R 338.11241
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R 338.11245
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R 338.11247
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R 338.11249
Source: 1998-2000 AACCS.

R 338.11253
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R 338.11255
Source: 2006 AACCS.

R 338.11259
Source: 2006 AACCS.

R 338.11261
Source: 2006 AACCS.

R 338.11267
Source: 1989 AACCS.

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R 338.11301
Source: 2006 AACCS.

R 338.11303
Source: 2006 AACCS.

R 338.11307
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PART 4. DELEGATION, SUPERVISION, ASSIGNMENT

R 338.11403
Source: 2006 AACS.

R 338.11404
Source: 2006 AACS.

R 338.11405
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R 338.11405a
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R 338.11406
Source: 2006 AACS.

R 338.11408
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R 338.11409
Source: 2006 AACS.

PART 5. SPECIALTIES

R 338.11501
Source: 1994 AACS.

R 338.11503
Source: 1994 AACS.

R 338.11505
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R 338.11507
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R 338.11509
Source: 1984 AACS.

R 338.11511
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R 338.11512
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R 338.11513
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R 338.11515
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R 338.11517
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R 338.11519
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Source: 1984 AACS.

R 338.11523

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R 338.11525

Source: 1994 AACS.

R 338.11527

Source: 1984 AACS.

PART 6. GENERAL ANESTHESIA AND INTRAVENOUS CONSCIOUS SEDATION

R 338.11601

Source: 1990 AACS.

R 338.11602

Source: 1997 AACS.

R 338.11603

Source: 2006 AACS.

R 338.11604

Source: 1990 AACS.

R 338.11605

Source: 2006 AACS.

PART 7. CONTINUING EDUCATION

R 338.11701

Source: 2004 AACS.

R 338.11703

Source: 2004 AACS.

R 338.11704

Source: 2004 AACS.

R 338.11704a

Source: 2006 AACS.

R 338.11705

Source: 2006 AACS.

CHIROPRACTIC

R 338.12001

Source: 2006 AACS.

R 338.12002

Source: 1998-2000 AACS.

R 338.12003

Source: 2006 AACS.

R 338.12004

Source: 1998-2000 AACS.

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R 338.12005
Source: 2006 AACS.

R 338.12006
Source: 2006 AACS.

R 338.12007
Source: 1998-2000 AACS.

R 338.12008
Source: 2006 AACS.

R 338.12008a
Source: 2006 AACS.

R 338.12009
Source: 1982 AACS.

R 338.12010
Source: 1982 AACS.

R 338.12011
Source: 1982 AACS.

R 338.12012
Source: 1997 AACS.

R 338.12013
Source: 1982 AACS.

R 338.12014
Source: 1987 AACS.

R 338.12015
Source: 2006 AACS.

DEPARTMENT OF LABOR & ECONOMIC GROWTH

DIRECTOR'S OFFICE

PREPAID FUNERAL & CEMETERY SALES

PART 1. GENERAL PROVISIONS

R 339.11
Source: 2006 AACS.

PART 2. CONTRACTS

R 339.21
Source: 2006 AACS.

R 339.22
Source: 2006 AACS.

R 339.23
Source: 2006 AACS.

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R 339.24
Source: 2006 AACs.

PART 3. STANDARDS OF OPERATION

R 339.31
Source: 2006 AACs.

R 339.32
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R 339.33
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R 339.34
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R 339.35
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Source: 2006 AACs.

R 339.37
Source: 2006 AACs.

PART 4.RECORD KEEPING

R 339.41
Source: 2006 AACs.

R 339.42
Source: 2006 AACs.

R 339.43
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R 339.45
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R 339.47
Source: 2006 AACs.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

DIRECTOR'S OFFICE

BOXING

R 339.101
Source: 2005 AACs.

R 339.102
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R 339.201
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R 339.202
Source: 2005 AACCS.

R 339.203
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R 339.204
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R 339.205
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R 339.206
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R 339.207
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R 339.209
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R 339.211
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R 339.213
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R 339.215
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R 339.217
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R 339.219
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R 339.221
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R 339.223
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R 339.225
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R 339.227
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R 339.229
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R 339.231
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R 339.233
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R 339.235

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Source: 2005 AACS.

R 339.237

Source: 2005 AACS.

R 339.239

Source: 2005 AACS.

R 339.241

Source: 2005 AACS.

R 339.243

Source: 2005 AACS.

R 339.245

Source: 2005 AACS.

R 339.247

Source: 2005 AACS.

R 339.249

Source: 2005 AACS.

R 339.251

Source: 2005 AACS.

R 339.253

Source: 2005 AACS.

R 339.255

Source: 2005 AACS.

R 339.257

Source: 2005 AACS.

R 339.259

Source: 2005 AACS.

R 339.261

Source: 2005 AACS.

R 339.263

Source: 2005 AACS.

R 339.265

Source: 2005 AACS.

R 339.267

Source: 2005 AACS.

R 339.269

Source: 2005 AACS.

R 339.301

Source: 2005 AACS.

R 339.303

Source: 2005 AACS.

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R 339.401
Source: 2005 AACS.

R 339.403
Source: 2005 AACS.

OFFICE OF COMMERCIAL SERVICES
OCCUPATIONAL BOARDS

R 339.601
Source: 1998-2000 AACS.

PART 1. LICENSE AND REGISTRATION RENEWALS

R 339.1001
Source: 1998-2000 AACS.

R 339.1002
Source: 1998-2000 AACS.

R 339.1003
Source: 1998-2000 AACS.

R 339.1004
Source: 1993 AACS.

R 339.1005
Source: 1997 AACS.

PART 7. DISCIPLINARY PROCEEDINGS

R 339.1701
Source: 2006 AACS.

R 339.1705
Source: 2006 AACS.

R 339.1706
Source: 2006 AACS.

R 339.1707
Source: 1997 AACS.

R 339.1709
Source: 1990 AACS.

R 339.1711
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R 339.1713
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R 339.1715
Source: 1997 AACS.

R 339.1721
Source: 1990 AACS.

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R 339.1725
Source: 1997 AACS.

R 339.1726
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R 339.1727
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R 339.1728
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R 339.1731
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R 339.1741
Source: 1997 AACS.

R 339.1743
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R 339.1745
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R 339.1746
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R 339.1747
Source: 1990 AACS.

R 339.1751
Source: 1990 AACS.

R 339.1753
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R 339.1755
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R 339.1757
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R 339.1759
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R 339.1761
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R 339.1763
Source: 1990 AACS.

R 339.1765
Source: 1997 AACS.

R 339.1767
Source: 1990 AACS.

R 339.1771
Source: 1997 AACS.

ATHLETICS

PART 1. GENERAL PROVISIONS

R 339.3101
Source: 2005 AACS.

R 339.3102
Source: 2005 AACS.

R 339.3201
Source: 2005 AACS.

R 339.3202
Source: 2005 AACS.

R 339.3203
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R 339.3204
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R 339.3205
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R 339.3206
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R 339.3207
Source: 2005 AACS.

R 339.3207a
Source: 2005 AACS.

R 339.3208
Source: 2005 AACS.

R 339.3209
Source: 2005 AACS.

R 339.3210
Source: 2005 AACS.

R 339.3210a
Source: 2005 AACS.

R 339.3211
Source: 2005 AACS.

R 339.3212
Source: 2005 AACS.

R 339.3213
Source: 2005 AACS.

R 339.3214
Source: 2005 AACS.

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R 339.3215
Source: 2005 AACCS.

R 339.3216
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R 339.3217
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R 339.3218
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R 339.3231
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R 339.3232
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R 339.3233
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R 339.3234
Source: 2005 AACCS.

R 339.3235
Source: 2005 AACCS.

R 339.3236
Source: 2005 AACCS.

R 339.3199
Source: 1985 AACCS.

PART 2. PROFESSIONAL BOXING

R 339.3201
Source: 1995 AACCS.

R 339.3202
Source: 1995 AACCS.

R 339.3203
Source: 1995 AACCS.

R 339.3204
Source: 1995 AACCS.

R 339.3205
Source: 1995 AACCS.

R 339.3206
Source: 1995 AACCS.

R 339.3207
Source: 1995 AACCS.

R 339.3207a
Source: 1995 AACCS.

R 339.3208
Source: 1995 AACCS.

R 339.3209
Source: 1995 AACCS.

R 339.3210
Source: 1995 AACCS.

R 339.3210a
Source: 1995 AACCS.

R 339.3211
Source: 1995 AACCS.

R 339.3212
Source: 1995 AACCS.

R 339.3213
Source: 1995 AACCS.

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R 339.3214
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R 339.3215
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R 339.3216
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R 339.3230
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R 339.3231
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R 339.3232
Source: 1995 AACS.

R 339.3233
Source: 1995 AACS.

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R 339.3234
Source: 1985 AACS.

R 339.3235
Source: 1995 AACS.

R 339.3236
Source: 1995 AACS.

DIRECTOR'S OFFICE
COLLECTION AGENCIES

R 339.4001
Source: 1997 AACS.

R 339.4003
Source: 1997 AACS.

R 339.4005
Source: 1997 AACS.

R 339.4007
Source: 1997 AACS.

R 339.4009
Source: 1997 AACS.

R 339.4011
Source: 1997 AACS.

PERSONNEL AGENCIES

PART 1. GENERAL PROVISIONS

R 339.5001
Source: 1996 AACS.

R 339.5005
Source: 1996 AACS.

R 339.5009
Source: 1996 AACS.

PART 2. LICENSING

R 339.5021
Source: 1996 AACS.

R 339.5023
Source: 1996 AACS.

PART 3. STANDARDS OF CONDUCT

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R 339.5031
Source: 1996 AACS.

R 339.5033
Source: 1996 AACS.

R 339.5035
Source: 1996 AACS.

R 339.5037
Source: 1996 AACS.

R 339.5039
Source: 1996 AACS.

BARBERS

PART 1. GENERAL PROVISIONS

R 339.6001
Source: 1991 AACS.

R 339.6003
Source: 1991 AACS.

R 339.6019
Source: 1991 AACS.

PART 2. LICENSES

R 339.6021
Source: 1998-2000 AACS.

PART 3. SANITATION

R 339.6031
Source: 1991 AACS.

R 339.6033
Source: 1991 AACS.

R 339.6035
Source: 1991 AACS.

R 339.6037
Source: 1991 AACS.

PART 4. BARBER COLLEGES

R 339.6041
Source: 1994 AACS.

R 339.6045
Source: 2006 AACS.

R 339.6047
Source: 1991 AACS.

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R 339.6049
Source: 1991 AACCS.

R 339.6051
Source: 2006 AACCS.

NURSING HOME ADMINISTRATORS

PART 1. GENERAL PROVISIONS

R 339.14001
Source: 1992 AACCS.

R 339.14003
Source: 1998-2000 AACCS.

R 339.14005
Source: 1998-2000 AACCS.

R 339.14007
Source: 1998-2000 AACCS.

R 339.14009
Source: 1992 AACCS.

R 339.14011
Source: 1998-2000 AACCS.

R 339.14013
Source: 1998-2000 AACCS.

R 339.14015
Source: 1992 AACCS.

R 339.14019
Source: 1992 AACCS.

PART 2. CONTINUING EDUCATION

R 339.14021
Source: 1998-2000 AACCS.

R 339.14023
Source: 1992 AACCS.

R 339.14025
Source: 1998-2000 AACCS.

R 339.14027
Source: 1998-2000 AACCS.

R 339.14029
Source: 1992 AACCS.

R 339.14031
Source: 1992 AACCS.

R 339.14033

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Source: 1992 AACS.

R 339.14035

Source: 1995 AACS.

ARCHITECTS

PART 1. GENERAL PROVISIONS

R 339.15101

Source: 2006 AACS.

R 339.15102

Source: 1998-2000 AACS.

R 339.15103

Source: 2006 AACS.

R 339.15104

Source: 2001 AACS.

R 339.15105

Source: 1985 AACS.

PART 2. LICENSING CRITERIA

R 339.15201

Source: 2006 AACS.

R 339.15202

Source: 2006 AACS.

R 339.15203

Source: 1998-2000 AACS.

R 339.15204

Source: 2006 AACS.

PART 3. LICENSURE, RECIPROCITY, AND RENEWAL

R 339.15301

Source: 1985 AACS.

R 339.15302

Source: 1985 AACS.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.15401

Source: 1985 AACS.

R 339.15402

Source: 1985 AACS.

R 339.15403

Source: 1985 AACS.

PROFESSIONAL ENGINEERS

PART 1. GENERAL PROVISIONS

R 339.16001 Definitions.

Rule 1. (1) As used in these rules:

(a) "Act" means 1980 PA 299, MCL 339.101 to 339.2919.

(b) "Authorized representative" means the chairperson, vice chairperson, or such other member of the board or employee of the department as the board may formally designate.

(c) "Board" means the board of professional engineers.

(d) "Department" means the department of labor and economic growth.

(2) Terms defined in the act have the same meanings when used in these rules.

History: 1985 MR 8, Eff. Sept. 12, 1985; 2008 MR 4, Eff. Feb. 19, 2008.

R 339.16002

Source: 1998-2000 AACCS.

R 339.16003 Conduct of public meetings; "chairperson" defined.

Rule 3. Board meetings are held in accordance with 1976 PA 267, MCL 15.261 to MCL 15.275, and are open to the public.

History: 1985 MR 8, Eff. Sept. 12, 1985; 2008 MR 4, Eff. Feb. 19, 2008.

R 339.16004

Source: 2001 AACCS.

R 339.16006

Source: 1985 AACCS.

PART 2. LICENSURE

R 339.16021 Degree acceptability; criteria; experience credit; transcripts.

Rule 21. (1) A bachelor's degree shall be judged by the board for acceptability on the basis of criteria entitled "Criteria For Accrediting Engineering Programs in the United States" dated October 29, 2005, which are incorporated by reference. The accrediting criteria may be obtained at no cost from the Accreditation Board for Engineering and Technology (ABET), 7111 Market Place, Suite 1050, Baltimore, Maryland 21202, phone number: (410)347-7700; website: www.abet.org. The accrediting criteria are also available for review at the offices of the Michigan Board of Professional Engineers, 2501 Woodlake Circle, Okemos, Michigan 48864.

(2) The department may accept 1 or both of the following as prima facie proof of a bachelor's degree in engineering, or its equivalent, acceptable to the board:

(a) Official transcripts verifying a degree which is granted by an educational institution in a program which meets the current criteria of the accreditation board for engineering and technology for programs in engineering in the United States.

(b) Official transcripts verifying possession of a master's degree in engineering from a school and program with an Engineering Accreditation Commission/Accreditation Board for Engineering and Technology (EAC/ABET) or Canadian Engineering Accreditation Board (CEAB) accredited bachelor's degree in the same engineering discipline as the master's degree.

(3) All other bachelor's degrees shall be evaluated individually through an analysis of the equivalency between the applicant's programs and the program criteria referred to in subrule (1) of this rule.

(4) The holder of a bachelor's degree in engineering accepted by the board shall be granted 4 years of experience credit toward the 8-year experience requirement established by the act.

(5) The holder of a master's degree or doctorate degree in engineering accepted by the board shall be granted an additional 1 year of experience credit, for each degree, toward the 8-year experience requirement established by the act.

(6) An applicant shall provide official transcripts and other documents as required by the department for evaluation and determination of acceptability of a degree, including documentation by the educational institution verifying that the course content of the degree meets the criteria specified in this rule.

(7) The department may accept an official transcript from an accredited educational institution as proof of completion of the required number of humanities/social science credits.

History: 1985 MR 8, Eff. Sept. 12, 1985; 2008 MR 4, Eff. Feb. 19, 2008.

R 339.16022

Source: 1985 AACCS.

R 339.16023

Source: 1998-2000 AACs.

R 339.16024

Source: 1985 AACs.

R 339.16025 Licensure by reciprocity; eligibility; experience and education; equivalency; standards; examination requirements; application; current certificate.

Rule 25. (1) A person who holds a current, valid certificate of registration or licensure as a professional engineer issued by another state or jurisdiction, or who holds a current certificate of qualification issued by the national council of engineering examiners, shall be eligible for licensure by reciprocity, subject to the act and these rules.

(2) An applicant for licensure by reciprocity shall have not less than 8 years of professional experience in engineering work satisfactory to the board, including not more than 6 years of education satisfactory to the board, and shall possess a baccalaureate degree in engineering acceptable to the board or a related degree with courses acceptable to the board. A baccalaureate degree shall be judged by the board for acceptability on the basis of criteria entitled "Criteria For Accrediting Engineering Programs" dated October 29, 2005, which are incorporated by reference. The accrediting criteria may be obtained at no cost from the Accreditation Board for Engineering and Technology, 111 Market Place, Suite 1050, Baltimore, Maryland 21202, phone number (410)347-7700, website www.abet.org. The accrediting criteria is also available for review at the offices of the Michigan Board of Professional Engineers, 2501 Woodlake Circle, Okemos, Michigan 48864. All other education shall be evaluated individually through an analysis of the equivalency between the applicant's knowledge and the program criteria referred to in this subrule.

(3) All of the following shall apply with regard to evaluating an applicant's compliance with the experience and education requirements in subrule (2) of this rule:

(a) The board may consider educational requirements equivalent to those in effect in Michigan at the time of primary licensing.

(b) The holder of a master's degree or a doctor's degree in engineering acceptable to the board may be granted an additional 1 year of experience credit for each degree toward the 8-year experience requirement established by the act.

(c) An applicant shall provide official transcripts and other documents as required by the department for evaluation and determination of acceptability of a degree, including documentation by the educational institution verifying that the course content of the degree meets the criteria specified.

(4) Acceptable professional experience in engineering is experience which is achieved after receiving a baccalaureate degree in engineering or its equivalent. This experience shall be satisfactorily performed under the direction of a professional engineer or a person of equivalent professional standing and shall be documented and verified to the department, or be such experience otherwise acceptable to the board. Engineering experience prior to graduation may be acceptable if demonstrated to be of a professional nature equal to that expected of an engineering graduate.

(5) An applicant for licensure shall have satisfactorily completed an examination which is acceptable to the board and which tested knowledge of engineering fundamentals and practice equivalent to that previously required in Michigan in the year of primary registration.

(6) The applicant for licensure by reciprocity shall provide complete documentation of the criteria in this rule and send it to the board at the department offices. The board will advise the applicant of its approval of the information submitted by the issuance of a license. If insufficient documentation is provided, the applicant may be requested to provide further information. If the department denies an applicant licensure by reciprocity, the applicant may request an appearance before the board under the act.

(7) A current certificate from the national council of examiners for engineering and surveying attesting to the attainment of required education, experience, and state licensing examinations shall be accepted as evidence of the applicant's qualifications for the issuance of a Michigan license.

(8) An applicant who holds a valid professional engineering license in another United States jurisdiction may submit verification of 5 years of licensed practice in responsible charge of engineering work acceptable to the board as equivalent to satisfactory completion of the fundamentals of engineering (FE) examination.

(9) An applicant who holds a valid professional engineer's license in another United States jurisdiction may submit verification of 15 years of licensed practice in responsible charge of engineering works acceptable to the board as equivalent to satisfactory completion of the principles and practice of engineering (PE) examination.

History: 1985 MR 8, Eff. Sept. 12, 1985; 2008 MR 4, Eff. Feb. 19, 2008.

R 339.16026 Examination equivalency.

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Rule 26. The department may consider an applicant for licensure to have satisfied the requirements of MCL 339.2004(2)(b) who satisfies both of the following:

- (a) Has passed the principles and practice examination and
 - (b) Has passed the fundamentals of engineering examination or holds a doctoral degree in engineering from a school with an EAC/ABET or CEAB accredited bachelor's degree in the same engineering discipline as the doctoral degree, provided that the applicant's bachelor's degree is equivalent to an EAC/ABET or CEAB accredited degree.
- History: 2008 MR 4, Eff. Feb. 19, 2008.

PART 3. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.16031

Source: 1985 AACCS.

R 339.16032

Source: 1985 AACCS.

R 339.16033

Source: 1985 AACCS.

R 339.16034

Source: 1985 AACCS.

PROFESSIONAL SURVEYORS

PART 1. GENERAL PROVISIONS

R 339.17101

Source: 1995 AACCS.

R 339.17102

Source: 1997 AACCS.

R 339.17103

Source: 1985 AACCS.

R 339.17104

Source: 2001 AACCS.

R 339.17105

Source: 1985 AACCS.

PART 2. EXAMINATIONS

R 339.17201

Source: 1985 AACCS.

R 339.17202

Source: 1995 AACCS.

R 339.17203

Source: 1993 AACCS.

PART 3. LICENSURE, RECIPROCITY, AND RENEWAL

R 339.17301

Source: 1995 AACCS.

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R 339.17302
Source: 1995 AACCS.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.17401
Source: 1995 AACCS.

R 339.17402
Source: 1985 AACCS.

R 339.17403
Source: 1995 AACCS.

R 339.17404
Source: 1995 AACCS.

FORESTERS

PART 1. GENERAL PROVISIONS

R 339.18001
Source: 1984 AACCS.

R 339.18005
Source: 1998-2000 AACCS.

R 339.18007
Source: 1984 AACCS.

PART 2. REGISTRATION

R 339.18021
Source: 1998-2000 AACCS.

R 339.18023
Source: 1984 AACCS.

R 339.18025
Source: 1984 AACCS.

R 339.18027
Source: 1984 AACCS.

R 339.18029
Source: 1998-2000 AACCS.

PART 3. STANDARDS OF CONDUCT

R 339.18031
Source: 1984 AACCS.

R 339.18035
Source: 1984 AACCS.

MORTUARY SCIENCE

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PART 1. GENERAL PROVISIONS

R 339.18901
Source: 2001 AACs.

R 339.18905
Source: 2001 AACs.

R 339.18919
Source: 1991 AACs.

PART 2. LICENSING

R 339.18921
Source: 2001 AACs.

R 339.18923
Source: 1998-2000 AACs.

R 339.18925
Source: 1991 AACs.

R 339.18927
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R 339.18929
Source: 2001 AACs.

PART 3. STANDARDS OF OPERATIONS

R 339.18930
Source: 2001 AACs.

R 339.18931
Source: 1991 AACs.

R 339.18933
Source: 1991 AACs.

R 339.18937
Source: 1991 AACs.

PART 4. STANDARDS OF CONDUCT

R 339.18941
Source: 1991 AACs.

R 339.18943
Source: 1991 AACs.

R 339.18945
Source: 1991 AACs.

R 339.18947
Source: 1991 AACs.

LANDSCAPE ARCHITECTS

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PART 1. GENERAL PROVISIONS

- R 339.19001**
Source: 1983 AACS.
- R 339.19005**
Source: 1998-2000 AACS.
- R 339.19007**
Source: 1983 AACS.
- R 339.19020**
Source: 1983 AACS.

PART 2. REGISTRATION

- R 339.19021**
Source: 1998-2000 AACS.
- R 339.19023**
Source: 1983 AACS.
- R 339.19025**
Source: 1991 AACS.
- R 339.19027**
Source: 1983 AACS.

PART 3. EXAMINATIONS

- R 339.19031**
Source: 1998-2000 AACS.
- R 339.19033**
Source: 1998-2000 AACS.
- R 339.19035**
Source: 1998-2000 AACS.
- R 339.19037**
Source: 1998-2000 AACS.
- R 339.19039**
Source: 1998-2000 AACS.

PART 4. STANDARDS OF CONDUCT

- R 339.19041**
Source: 1983 AACS.
- R 339.19045**
Source: 1983 AACS.
- R 339.19049**
Source: 1983 AACS.

PROFESSIONAL COMMUNITY PLANNERS

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PART 1. GENERAL PROVISIONS

R 339.20001
Source: 1996 AACS.

R 339.20002
Source: 1996 AACS.

R 339.20009
Source: 1996 AACS.

PART 2. REGISTRATION

R 339.20011
Source: 1996 AACS.

R 339.20013
Source: 1996 AACS.

R 339.20015
Source: 1996 AACS.

R 339.20017
Source: 1996 AACS.

R 339.20018
Source: 1996 AACS.

R 339.20019
Source: 1996 AACS.

PART 3. STANDARDS OF CONDUCT

R 339.20031
Source: 1996 AACS.

R 339.20033
Source: 1996 AACS.

R 339.20035
Source: 1996 AACS.

R 339.20037
Source: 1996 AACS.

REAL ESTATE BROKERS AND SALESPERSONS

PART 1. GENERAL PROVISIONS

R 339.22101
Source: 2002 AACS.

R 339.22103
Source: 2002 AACS.

R 339.22199
Source: 1991 AACS.

PART 2. LICENSING

R 339.22201
Source: 2002 AACS.

R 339.22203
Source: 2007 AACS.

R 339.22205
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R 339.22207
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R 339.22209
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R 339.22211
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R 339.22213
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R 339.22215
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PART 3. PRACTICE AND CONDUCT

R 339.22301
Source: 2002 AACS.

R 339.22305
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R 339.22307
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R 339.22309
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R 339.22310
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R 339.22311
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R 339.22313
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R 339.22315
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R 339.22317
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R 339.22319
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R 339.22321
Source: 2002 AACS.

R 339.22323
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R 339.22325
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R 339.22327
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R 339.22329
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R 339.22333
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R 339.22335
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R 339.22337
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R 339.22339
Source: 2002 AACS.

PART 4. ENFORCEMENT

R 339.22401
Source: 2002 AACS.

R 339.22403
Source: 1997 AACS.

R 339.22405
Source: 1991 AACS.

PART 5. OUT-OF-STATE LAND SALES

R 339.22501
Source: 1991 AACS.

R 339.22503
Source: 1991 AACS.

R 339.22505
Source: 1991 AACS.

R 339.22507
Source: 1991 AACS.

R 339.22509
Source: 1991 AACS.

R 339.22511
Source: 1991 AACS.

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R 339.22513
Source: 1991 AACS.

R 339.22515
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R 339.22517
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R 339.22523
Source: 2002 AACS.

R 339.22525
Source: 2002 AACS.

R 339.22527
Source: 2002 AACS.

R 339.22529
Source: 1991 AACS.

PART 6. REAL ESTATE EDUCATION

SUBPART 1. GENERAL PROVISIONS

R 339.22601
Source: 2007 AACS.

R 339.22602
Source: 2007 AACS.

R 339.22603
Source: 2007 AACS.

R 339.22604
Source: 2007 AACS.

R 339.22605
Source: 2007 AACS.

R 339.22606
Source: 2007 AACS.

R 339.22607
Source: 2007 AACS.

R 339.22609
Source: 2007 AACS.

R 339.22611
Source: 1991 AACS.

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R 339.22613
Source: 2007 AACCS.

R 339.22615
Source: 2007 AACCS.

R 339.22617
Source: 2007 AACCS.

SUBPART 2. PRELICENSURE COURSES

R 339.22631
Source: 2007 AACCS.

R 339.22633
Source: 2002 AACCS.

R 339.22635
Source: 2002 AACCS.

R 339.22637
Source: 2002 AACCS.

R 339.22639
Source: 2007 AACCS.

R 339.22641
Source: 2007 AACCS.

R 339.22643
Source: 1991 AACCS.

R 339.22645
Source: 2007 AACCS.

R 339.22647
Source: 1991 AACCS.

SUBPART 3. CONTINUING EDUCATION COURSES

R 339.22651
Source: 2007 AACCS.

R 339.22652
Source: 2007 AACCS.

R 339.22653
Source: 2007 AACCS.

R 339.22654
Source: 2007 AACCS.

R 339.22655
Source: 2007 AACCS.

R 339.22657
Source: 1991 AACCS.

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R 339.22659
Source: 2007 AACS.

R 339.22661
Source: 2002 AACS.

R 339.22663
Source: 2007 AACS.

R 339.22664
Source: 2007 AACS.

R 339.22665
Source: 2007 AACS.

R 339.22667
Source: 1997 AACS.

REAL ESTATE APPRAISERS

PART 1. GENERAL PROVISIONS

R 339.23101
Source: 2007 AACS.

R 339.23102
Source: 2007 AACS.

R 339.23103
Source: 2002 AACS.

PART 2. LICENSING

R 339.23201
Source: 2007 AACS.

R 339.23203
Source: 2007 AACS.

R 339.23205
Source: 1996 AACS.

R 339.23207
Source: 2002 AACS.

PART 3. APPRAISER EDUCATION

GENERAL PROVISIONS

R 339.23301
Source: 2007 AACS.

R 339.23303
Source: 2007 AACS.

R 339.23305
Source: 1996 AACS.

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R 339.23307
Source: 2007 AACCS.

R 339.23309
Source: 2007 AACCS.

R 339.23311
Source: 2007 AACCS.

R 339.23313
Source: 1996 AACCS.

R 339.23315
Source: 2007 AACCS.

PRELICENSURE EDUCATION

R 339.23316
Source: 2007 AACCS.

R 339.23317
Source: 2007 AACCS.

R 339.23319
Source: 2007 AACCS.

R 339.23320
Source: 2007 AACCS.

PART 3B. CONTINUING EDUCATION

R 339.23321
Source: 2007 AACCS.

R 339.23323
Source: 2002 AACCS.

R 339.23325
Source: 1996 AACCS.

R 339.23326
Source: 2007 AACCS.

R 339.23327
Source: 1996 AACCS.